

# TOORAK NEIGHBOURHOOD CHARACTER RESEARCH PROJECT

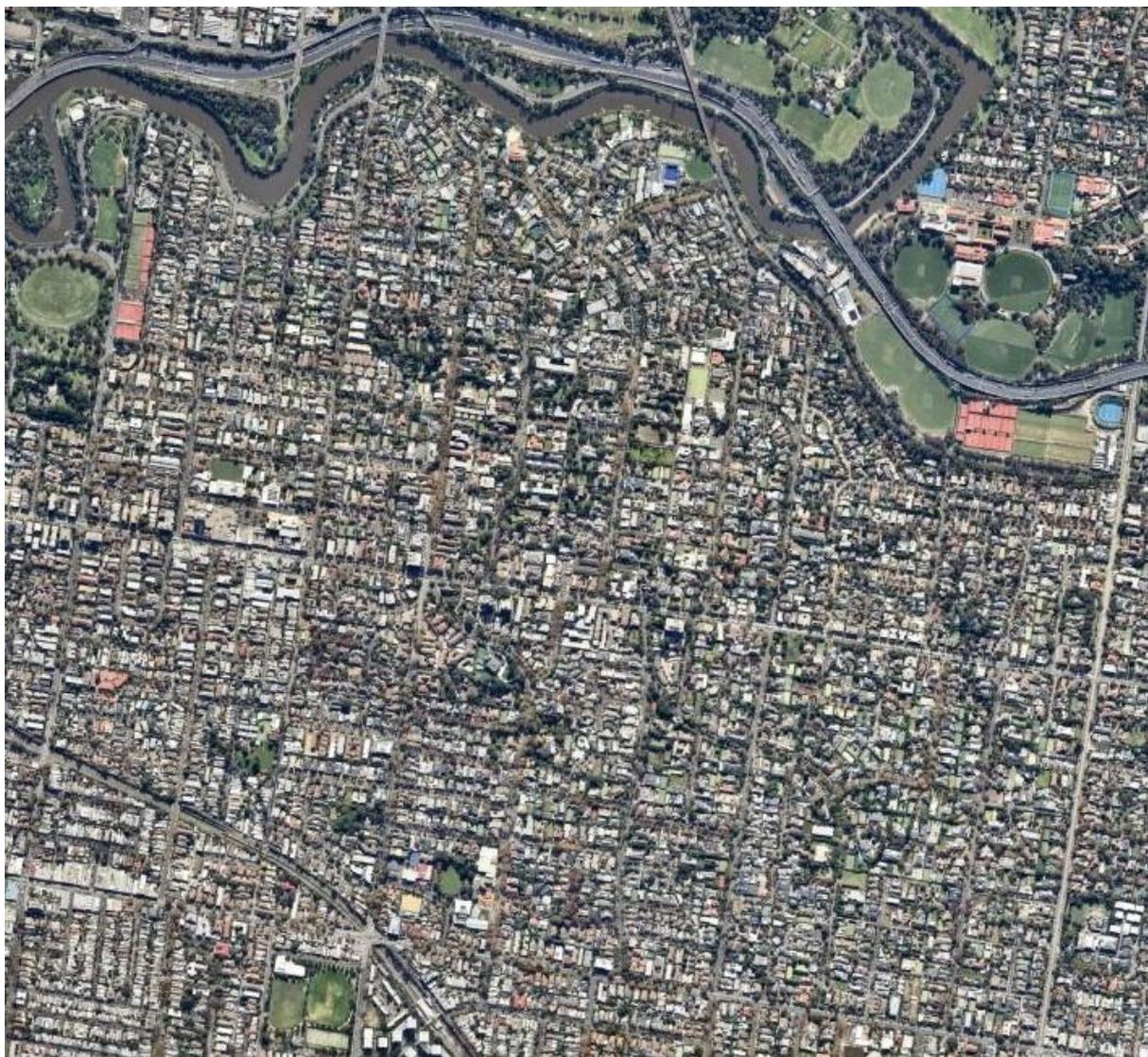
Prepared for

**TOORAK RESIDENTS GROUP**

by

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Architect



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## **OVERVIEW OF THIS REPORT**

The suburb of Toorak has long been renowned for the quality of its buildings and the social prestige of many of its residents. Its location on undulating land south of the Yarra river, its broad vistas, curving streets and large allotments attracted people of class and influence. Large homes in expansive garden settings became a hallmark of the suburb. An air of quality and quiet assuredness pervaded the leafy streets as the suburb became popular as a highly desirable place to live.

Over decades the original character of Toorak evolved as larger properties were subdivided and grand homes were replaced by smaller homes which still befitted the sense of place that gave the suburb its undeniable character.

In recent years, this process of redevelopment has gathered pace, with homes and gardens being replaced by multi-unit developments or large houses; buildings that occupied a disproportionate amount of land at the expense of generous private gardens with lawns and mature trees. Architectural expression became more varied and imposing, contrary to the more restrained styles that defined the early character of the suburb.

This Report explores the built form and scale of over 30 recent residential developments and concludes that, while replacement of existing dwellings is acceptable in principle, redevelopment is occurring at a pace and in a manner that is detrimentally changing the look and feel of the suburb.

The Report concludes that the key provisions of the Stonnington Planning Scheme are ineffective in managing the nature of redevelopment, mainly because those provisions are not being implemented and buildings that do not meet the letter or the spirit of the Planning Scheme are being permitted.

Many residents are justifiably concerned that the process designed to manage an appropriate level of redevelopment is resulting in those particular qualities that define the urban character of Toorak are being detrimentally eroded.

### **1. The purpose of this Report**

1.1 A number of property owners in Toorak have become increasingly concerned that the type and scale of residential development that is occurring is adversely impacting the built form character of the area and that the area's significance as a residential area with a valued building stock and cultural identity is being diminished, to the detriment of the image and history of Toorak in its wider metropolitan context.

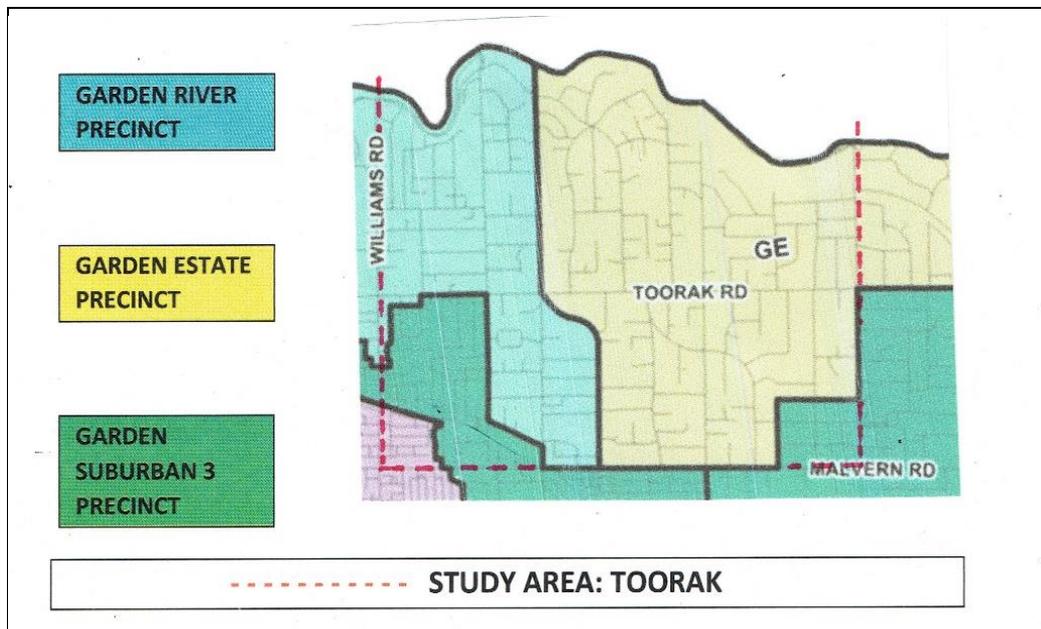
1.2 This concern is that Toorak has undergone significant change due to the extent of demolition of older dwellings and loss of private gardens and landscaping, and that this change is continuing despite the provisions of the Stonnington Planning Scheme. It is evident that former homes and gardens are being replaced by large homes or multi-unit developments which occupy disproportionate amounts of their sites thereby reducing the extent of garden areas and mature trees. As a result, the character of the suburb is changing detrimentally.

1.3 The residents contend that Council has not been rigorous in applying the provisions of the Planning Scheme, or that the planning Scheme is inadequate as a mechanism to reduce the frequency of redevelopment and the scale of new buildings.

1.4 A program of research and data collection has identified the extent of change that is occurring in Toorak by considering over 50 recently redeveloped residential properties. The research also investigated those parts of the Stonnington Planning Scheme that provide policy and guidance for residential redevelopment and other documents on the topic of neighbourhood character.

1.5 The area covered by the research is shown on the map below, although most of the properties are in two areas within this wider perimeter, namely:

- the area bounded by the Yarra River, Kooyong Road, Toorak Road, Grange Road, and
- the area bounded by Toorak Road, Glenferrie Road, Malvern Road, Albany Road/Linlithgow Road.



**FIGURE 1: THE STUDY AREA**

#### Methodology

1.6 The number of recent demolitions of dwellings and the redevelopment of those properties by larger and more intense buildings led to a data base of properties being prepared. Aerial and street view photos of these properties were added to the database along with approximate date of demolition of the former dwelling.

1.7 Parallel to this process, the provisions of the Planning Scheme were extracted, as well as other documents which discuss the topic of neighbourhood character.

1.8 The data base (comprising Data Sheets for over 50 properties where demolition occurred since 2015) was analysed to identify those properties that illustrate the significant impact on the built form and character of Toorak of recent residential redevelopment.

### Summary of findings

1.9 Analysis of the Data Base and those parts of the Planning Scheme that are designed to manage residential redevelopment in the study area demonstrates that the Planning Scheme is demonstrably inadequate to achieve the objectives set out in the Neighbourhood Character Policy. Given the form, siting and scale of many recent buildings, it is evident that the design guidelines are ineffectual or inappropriate to ensure good and contextually appropriate built form outcomes. It is clear that, to achieve the preferred neighbourhood character in the study area, Council must take action to ensure its policies are implemented and non-compliant applications are refused.

1.10 The Planning Scheme, as currently written, is an inadequate mechanism to protect buildings of significance from redevelopment and to ensure that replacement buildings comply with the descriptions of preferred neighbourhood character.

1.11 This Report recommends that Stonnington Council initiate a process leading to the implementation of more effective planning and development controls on new residential development in order to identify and protect the existing values of neighbourhood character and which will, as a result, better manage the level of change to the private realm so that the valued character of the area is enhanced rather than diminished or depreciated by future residential redevelopment.

1.12 A Neighbourhood Character Study of the area bounded by the Yarra river, Glenferrie Road, Malvern Road and Williams Road should be undertaken, prospectively leading to an amendment to the Planning Scheme to ensure that the built heritage of Toorak is not further diminished, but that new residential development is consistent with Council's heritage strategy and does not lead to unacceptable loss of character and a more sympathetic level of redevelopment occurs which does not diminish, but enhances, the valued character of the suburb.

1.13 Council should:

1. Acknowledge that the neighbourhood character of Toorak is changing at an increasing rate due to the number, scale and intensity of redevelopment of residential properties, and that this is detrimental to the valued character of the suburb,
2. Rigorously apply the Planning Scheme, especially the Design Guidelines set out in Clause 22.23, to ensure that applications for planning permit demonstrably adhere to relevant policies, and do not include design elements that are specifically sought to be avoided, and
3. Commit to undertaking a comprehensive Study of the heritage and character of Toorak with a view to amending the Planning Scheme to better protect the existing built form and siting of dwellings and better manage the scale and size of new residential development.

## 2. Planning Policy

2.1 This Section describes the Statutory Planning controls and policies that apply to the Study Area and which are used by Council in assessing planning permit applications and to guide development.

### Zoning, and the Schedule to each zone

2.2 The area is covered by three General Residential Zones: GRZ5, GRZ8, and GRZ11.

2.3 There are some minor differences between the planning controls for each zone and some differences from the Standards of Clauses 54 and 55, as described in Schedule 8 to Clause 32.08.

2.4 A maximum building height is prescribed for each of the residential zones:

GRZ5: the maximum building height is 9 metres

GRZ8: the maximum building height is 12 metres

GRZ11: the maximum building height is 12 metres.

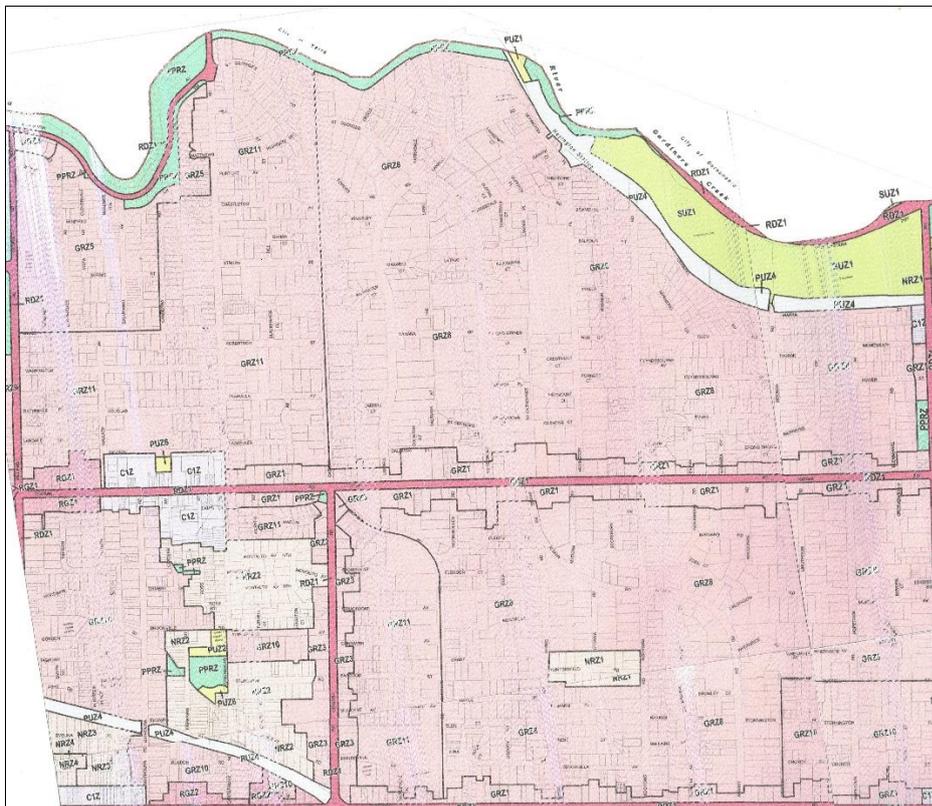


FIGURE 2: ZONING

### Schedule 8 to Clause 32.08 General Residential Zone

2.5 Schedule 8 to Clause 32.08 applies to properties in Garden Estate precincts, that is, the part of the Study Area east of Orrong Road.

2.6 It requires a **planning permit** to be obtained to construct or extend one dwelling on a lot of between 300 and 500 square metres, and includes specific requirement of several of the **Standards of Clauses 54 and 55**, as follows:

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area.
Permeability	A6 and B9	None specified
Landscaping	B13	In addition to the requirements of B13, at least one canopy tree should be planted on the site.
Side and rear setbacks	A10 and B17	For a distance of at least 5 metres behind the front facade of the building fronting the street, setback new buildings (including basements) a minimum of 2 metres from at least one side boundary and at least 1 metre from the other side boundary up to 3.6 metres in height.  Where no setback is specified, standard A10 or B17 applies.
Walls on boundaries	A11 and B18	Walls should not be located on side boundaries for a distance of 5 metres behind the front façade of the building fronting the street.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

**TABLE 1: SPECIFIC REQUIREMENTS OF CLAUSES 54 AND 55 APPLICABLE IN THE GARDEN ESTATE PRECINCT**

2.7 Schedule 8 sets a **maximum building height** for a dwelling or residential building. *A building used as a dwelling or a residential building must not exceed a height of 12 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building must not exceed 13 metres. This does not apply to:*

- *An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.*
- *The rebuilding of a lawful building or works which have been damaged or destroyed.*

*A lift overrun may exceed the abovementioned mandatory height requirements by no more than 1.2 metres.*

*In areas subject to the Special Building Overlay or the Land Subject to Inundation Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.*

2.8 It includes these Decision Guidelines:

- *Whether the development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone.*
- *Whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct.*

What Schedule 8 means

2.9 Relevant to the purpose of this Report are:

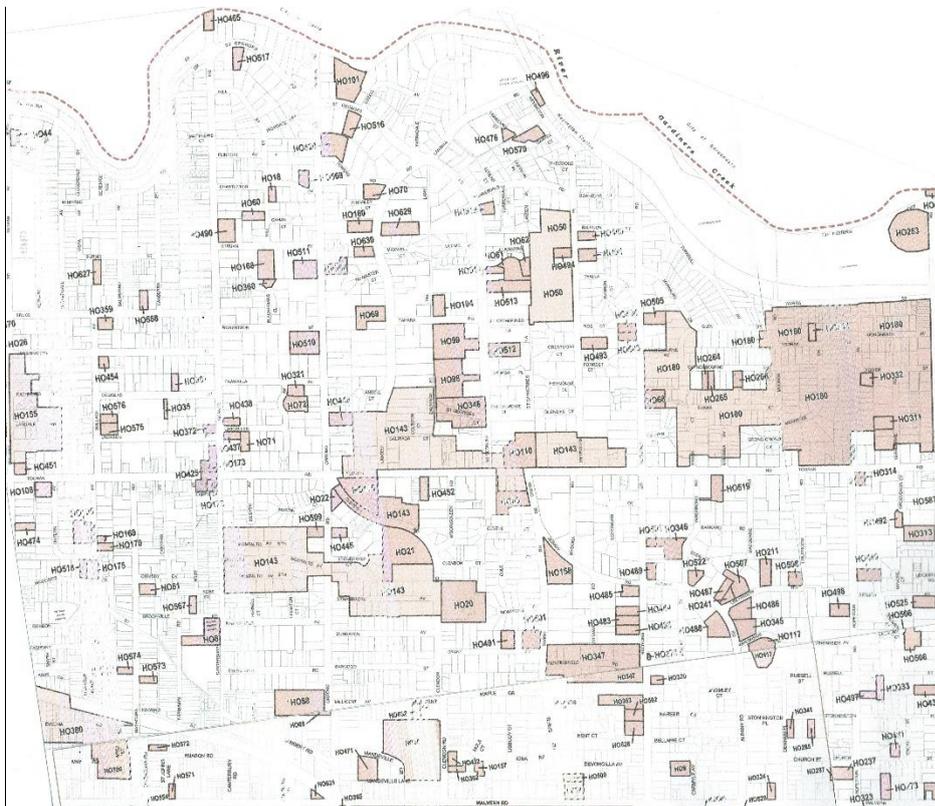
- meeting the Standards of Clauses 54 and 55 is not mandatory but not meeting them should be justified. This includes the maximum site coverage of 75 percent of the site area, that at least one canopy tree should be planted on the site, and the provisions relating to side setbacks and walls on boundaries, and
- maximum height of a building must not be exceeded.

2.10 Importantly, in considering an application for a planning permit Council should decide whether a development proposal “*meets the preferred neighbourhood character statement and design objectives for the Precinct*”. This refers directly to the preferred neighbourhood character statement and design guidelines that are set out at Clause 22.23 of the Planning Scheme. This requires Council to assess the proposed development against the Neighbourhood Character Policy applicable to each Precinct.

## Overlays

### Heritage Overlays

2.11 There are many site-specific and several area-wide Heritage Overlays in the area.



**FIGURE 3: HERITAGE OVERLAYS IN THE STUDY AREA**

2.12 Properties covered by a Heritage Overlay may be presumed to be protected from wholesale demolition, but not necessarily from internal alteration, extension or changes to gardens, outbuildings and front fences.

### Significant Landscape Overlay

2.13 There is a Significant Landscape Overlay in the area bounded by Williams Road, the Yarra river, Canberra Road and Bruce Street.

2.14 The development at 19 – 21 Vista Grove is the only property reviewed in this Report which is within this area and the Overlay has no effect on this Report or its findings, except that the provisions of such an Overlay should be a factor in Council’s assessment of an planning application.

### 3. Defining Neighbourhood Character

3.1 While Clause 22.23 of the Planning Scheme (refer Appendix 2) includes the statutory definition of Neighbourhood Character as it applies to each of the Garden River, Garden Estate and Garden Suburban 3 precincts, it is worthwhile considering three other sources which describe neighbourhood character.

#### Heritage Strategy and Action Plan 2018 – 2029

3.2 Council has adopted and is implementing the actions set out in its *Heritage Strategy and Action Plan 2018 – 2029*. At the start of the Strategy document the Mayor states, in part:

*“The City of Stonnington is proud of its built heritage. This strategy, together with our Heritage Design Guidelines 2017, will help guide future investigations into the preservation of more of our built environment, based on recognized national guidelines.”*

3.3 The Strategy focusses on current and potential places of heritage significance, mainly those already covered by a Heritage Overlay.

3.4 However, the link between places of recognised heritage significance and local neighbourhood character is made.

3.5 The Strategy states that it *‘provides a framework for the next decade to ensure the continued protection and enhancement of the municipality’s extraordinary built heritage’*. It notes that *‘Balancing the protection of heritage buildings and neighbourhood character alongside pressure for more intense development is a key strategic priority for Council’*. An identified ‘Challenge’ is *‘Balancing development pressure with preserving significant buildings’*.

3.6 Importantly, the Strategy includes the Vision:  
*‘The unique character of the municipality will be protected from detrimental change and enhanced over time. The cultural history of our local places will be celebrated’*.

3.7 Two actions to implement the Vision are that

- *‘Places of potential significance not currently protected by the Heritage Overlay are considered for heritage protection’*  
and to
- *‘Continue to identify heritage places across the municipality using the Stonnington Thematic Environmental History 2009 as a guide’*.

3.8 It is important to use Council’s own words to identify what neighbourhood character is, show that Council wants to protect it and demonstrate that Council is failing. Also, that Council intends doing something to protect that character, particularly in the private realm.

#### “St Georges Road, Toorak: Review of Potential Special Character Area”

3.9 This Report was prepared by Planisphere for Council in April 2016. In it, the authors state:  
*“Over the period of many years in undertaking neighbourhood character studies in Victoria we have developed a definition that has been consistently applied throughout, and to previous neighbourhood character studies in Stonnington, that is:*

*Neighbourhood character is the qualitative interplay of built form, vegetation and topographic characteristics, in both the private and public domains that make one place different from another.*

Planning Practice Note 43: "Understanding Neighbourhood Character"

3.10 This State government document is included at Appendix 3.

3.11 Of relevance to understanding what neighbourhood character is, it states that:

- describing neighbourhood character requires a qualitative assessment and the exercise of judgement about which features and characteristics determine the neighbourhood character of an area,
- describing the character of an area will also depend on the extent of neighbourhood character analysis already undertaken by the relevant council and the particular characteristics of the neighbourhood in question, and that
- matters to be considered in describing neighbourhood character include:
  - The pattern of development of the neighbourhood (where more than one dwelling on a lot is proposed)
  - The built form, scale and character of surrounding development including front fencing
  - Architectural and roof styles
  - Any other notable features or characteristics of the neighbourhood.

3.12 These documents provide some definitions of neighbourhood character. While they are useful as background context, it is the Statements of Preferred Neighbourhood Character and the accompanying Design Guidelines for each Precinct as set out in clause 22.23 of the Planning Scheme that constitute the formal guidance for applicants, designers and Council planners regarding those elements of design that are to be incorporated into any proposed development that achieves the Preferred Neighbourhood Character for the relevant precinct.

Council's Statements of Preferred Neighbourhood Character

3.13 For the Garden River (GR) Precinct, Council's Statement of preferred neighbourhood character is:

*The Garden River (GR) character precinct comprises buildings that contribute to the Yarra River and its landscaped setting, with innovative architectural styles set among Victorian, Edwardian and Interwar dwellings and well-planted, spacious gardens. New buildings of varying styles and scales are designed to complement and respect the river environs. Consistent front and side setbacks allow for substantial planting that contributes to the tree canopy, and softens the appearance of built form. Where adjoining or visible from the Yarra, buildings address both the street and the River. Low or permeable front fences provide views of building facades and front gardens. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

3.14 What this Statement tells designers and developers of buildings in the Garden River Precinct is that the design should include these features:

- A contribution to the landscape setting of the Yarra River by innovative styles that respect the river environs,
- Consistent front and side setbacks that allow for substantial planting that contributes to the tree canopy, and
- Low or permeable front fences.

3.15 For the Garden Estate (GE) Precinct, Council's Statement of preferred neighbourhood character is:

*The Garden Estate character precinct comprises large, high quality buildings set within spacious, landscaped gardens. Generous front and side setbacks allow space for substantial planting and canopy trees, which reinforces the leafy character of the precinct and contributes to the Yarra River landscape setting. New buildings or additions offer innovative and contemporary design responses while complementing the key aspects of building form and scale of the precinct. Where adjoining the Yarra, buildings address both the street and the River. While many properties have high front fences, these are designed to incorporate some visually permeable elements or landscaping. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

3.16 What this Statement tells designers and developers of buildings in the Garden Estate Precinct is that the design should include these features:

- Large, high quality buildings in spacious landscaped gardens,
- Generous front and side setbacks that allow for substantial planting and canopy trees,
- Innovative and contemporary designs which complement the building form and scale of the precinct, and
- Visually permeable front fences.

3.17 For the Garden Suburban 3 (GS3) Precinct, Council's Statement of preferred neighbourhood character is:

*The Garden Suburban 3 (GS3) precinct comprises spacious and leafy streetscapes with Victorian, Edwardian, Interwar or Post-war era and new buildings set in established garden surrounds. Generous, regular front and side setbacks provide space around buildings and allow for canopy trees. New buildings or additions offer innovative and contemporary design responses while complementing the key aspects of building form, one-two storey scale and design detail of the older dwellings in the precinct. Low or permeable front fences retain views to gardens and buildings from the street. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

3.18 What this Statement tells designers and developers of buildings in the Garden Suburban 3 Precinct is that the design should include these features:

- Generous front and side setbacks which allow for canopy trees,
- Innovative and contemporary designs which complement the form, scale and detail of older buildings, and
- Low or permeable front fences.

3.19 These three Statements provide guidance for the design of new developments and against which such proposals should be assessed. Taken in conjunction with the Objectives and Guidelines set out in the Tables in Clause 22.23 and, in particular, the list of design elements that are to be avoided, they represent the benchmarks to be used in the design process and by Council officers in assessing whether a proposal should be approved for the issue of a Planning Permit.

### Summary

3.20 It is important to recognise that there is a nexus between the evolution of the suburb and its buildings and the broad topic of heritage.

3.21 It is relevant that neighbourhood character is defined by the public realm as well as by the private realm and, at a more subtle or subjective level, by the social conditions that imbue an area with a reputation and recognition in the local and wider communities. Changes in the built fabric of an area impact the community's perception of an area, and this can be positive or negative, rational or irrational.

3.22 Places change as property prices change, buildings age or no longer meet modern standards or expectations for accommodation, locations become more or less desirable with desirable areas attracting residential redevelopment and intensification. Gentrification and location are powerful drivers of urban redevelopment.

3.23 As discussed in Section 4, many new buildings fail to respond positively to the preferred neighbourhood character and include many of the design elements that are specifically quired to be avoided.

#### 4. Data collection and what it reveals

4.1 A program of data collection was initiated which comprised the identification of properties where redevelopment has occurred in recent years. A total of over 50 properties were identified. This number was reduced to 40 to eliminate those properties where the dwelling was demolished in 2015 or thereafter. This was because the most recent revision to the Neighbourhood Character Policy (Clause 22.23 of the Planning Scheme) which is designed to manage new developments was gazette on 17 September 2015, meaning that all planning permit applications after that date are required to comply with that Policy.

NUMBER IN DATA BASE	ADDRESS	VACANT (As in April 2020 aerial photo)	DEMOLISHED pre 2016 U = under const'n
1	19 Albany Road		
2	2 Chastleton Avenue		
3	6 Chastleton Avenue		
4	18 Chastleton Avenue		
5	4 Church Street	V	
6	6 Church Street	V	
7	37 Clendon Road		
8	46 Clendon Road		
9	10 Denham Place		O
10	18 Denham Place		O
11	11 Flintoff Avenue		
12	22 Heyington Place	V	
13	50 – 52 Heyington Place		
14	57 Heyington Place		
15	60A Heyington Place		O
16	63 Heyington Place		
17	10 and 11 Highgate Hill		
18	3 Hill Street		
19	26 Hill Street		
20	2A Hopetoun Road		
21	8 Hopetoun Road		O
22	26 Hopetoun Road	V	
23	44 – 46 Hopetoun Road	V	
24	45 Hopetoun Road	V	
25	69 Irving Road		
26	16 Lansell Road		
27	22 Lansell Road		
28	61 and 63 Lansell Road		O
29	65 Lansell Road		
30	14 Lascelles Avenue		O
31	6 Ledbury Court		
32	2 Myvore Court		O
33	3 Myvore Court	V	
34	4 Myvore Court		
35	5 - 6 Myvore Court		

NUMBER IN DATA BASE	ADDRESS	VACANT (As in April 2020 aerial photo)	DEMOLISHED pre 2016 U = under const'n
36	802 Orrong Road		
37	2 St Georges Road	V	
38	12 St Georges Road		
39	16 St Georges Road	V	
40	18 St Georges Road	V	O
41	44 St Georges Road	V	O
42	66 St Georges Road		
43	3 Stonnington Place		
44	5 Stonnington Place	V	
45	27 Stonnington Place	V	
46	9 Tahara Road		O
47	7 Teringa Place		O
48	1 Ultimo Court		U
49	19 - 21 Vista Grove		
50	6 Whernside Avenue		
51	9 Whernside Avenue		
52	14 Woorigoleen Road		O
53	13 Yarradale Road		O

**TABLE 2: SCHEDULE OF PROPERTIES IN DATA BASE**

**Bold font:** properties in the Garden River Precinct

Light font: properties in the Garden Estate Precinct

Italic font: property in the Garden Suburban 3 Precinct

- 4.2 Table 2 includes all 53 properties included in the data base (Appendix 2), and identifies:
- 13 properties where the dwelling was demolished in 2016 or earlier (yellow),
  - 13 properties where the site was vacant in April 2020 (green), and
  - 27 properties where dwellings have been demolished and replaced by new structures (both single dwellings and multi-unit developments) which occupy significant proportions of their site and are often out of scale with their neighbours and the streetscape (no colour). 16 Lansell Road is currently subject to the outcome of a VCAT Hearing.

4.3 The Data Base (Appendix 3) includes aerial and street view photographs of the previous dwelling and aerial and street view photographs of the replacement building, or of the site itself if vacant as at April 2020. A concern of residents is the high proportion of sites where the dwelling has been demolished and the site left vacant for significant periods of time. The data base includes 13 such properties.

- 4.4 An examination of the 27 data sheets where replacement buildings have been constructed since 2016 demonstrates that these are common features of these developments:
- The high percentage of site coverage of new buildings and the consequent significant loss of garden areas and opportunities for planting of canopy trees,
  - The scale and number of storeys of new buildings,
  - The style and scale of former dwellings and the contrast in style, scale and visual prominence of new structures.

4.5 As discussed in Section 3, applicants and Council officers should respond to the Statements of Preferred Neighbourhood Character and the Design Guidelines Clause 22.23, as applicable to each of the Garden River and Garden Estate precincts to guide the design or the Council officer's assessment of it. These Statements and Design Guidelines are included at Appendix 2.

4.6 The two Statements and the Design Guidelines are similar for each Precinct despite the two Precincts being separately described. It is notable that it is stated that "the preferred character is to be achieved by the following design guidelines"; a mandatory requirement; the Objectives and Responses are couched in non-mandatory terms, with words such as 'encourage', 'attempt', 'should'. The overarching requirement that proposed developments 'Avoid' a number of design elements provides the potential for applicants to argue against the need to comply with Objectives and Responses because they are not mandatory. The weakness of the statements in the Tables provides the opportunity for applicants for a planning permit to justify a proposed development by demonstrating that it complies with these flexible and subjective requirements.

4.7 The 26 developments that have occurred on sites demolished since 2015 are assessed against the 'Avoid' column of those Tables where aspects of a design that should be avoided are set out.

4.8 In the Garden River Precinct the aspects of design to be avoided are:

- Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.
- Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.
- Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.
- New developments and extensions that are visually bulky.
- Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).
- Building materials, finishes and colours that are in stark contrast with the character of the streetscape.
- Blank walls and unarticulated facades.
- Mock historical style, 'reproduction' detailing.
- Lack of eaves.
- Inconsistent siting patterns.
- Loss of established vegetation.
- High site coverage, including at basement level, that prevents adequate landscaping opportunities.
- Additional crossovers.
- Car parking structures in the front setback area.
- Visually dominant car parking structures.
- Excessive areas of paving and driveways.
- High, solid front fencing.

4.9 In the Garden Estate Precinct the aspects of design to be avoided are:

- Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.

- Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.
- Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.
- New developments and extensions that are visually bulky.
- Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).
- Building materials, finishes and colours that are in stark contrast with the character of the streetscape.
- Blank walls and unarticulated facades.
- Mock historical style, 'reproduction' detailing.
- Lack of eaves.
- Inconsistent siting patterns.
- Inadequate space for planting around buildings.
- Front facades development boundary-to-boundary.
- Loss of established vegetation.
- High site coverage, including at basement level, that prevents adequate landscaping opportunities.
- Additional crossovers.
- Car parking structures in the front setback area.
- Visually dominant car parking structures.
- Excessive areas of paving and driveways.

4.10 In the Garden Suburban 3 Precinct the aspects of design to be avoided are:

- Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.
- New developments and extensions that are visually bulky.
- Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).
- Building materials, finishes and colours that are in stark contrast with the character of the streetscape.
- Blank walls and unarticulated facades.
- Mock historical style, 'reproduction' detailing.
- Lack of eaves.
- Inconsistent siting patterns.
- Inadequate space for planting around buildings.
- Front facades development boundary-to-boundary.
- Loss of established vegetation.
- High site coverage, including at basement level, that prevents adequate landscaping opportunities.
- Additional crossovers.
- Car parking structures in the front setback area.
- Visually dominant car parking structures.
- Excessive areas of paving and driveways.
- High, solid front fencing.

4.11 With one or two exceptions, these three lists are substantially the same.

#### Findings

4.12 Appendix 2 analyses each of the 26 properties against these aspects of design, siting and built form that are to be avoided.

4.13 A review of the photographs included in the Data Base reveals that failure to avoid these aspects of the Neighbourhood Character Policy is a common occurrence in many of the properties on the data base.

4.14 It is apparent that most of the 26 buildings fail to achieve the preferred neighbourhood character because they incorporate many of the design elements that Council seeks to be avoided.

4.15 This indicates that the Planning Scheme is demonstrably inadequate to achieve the objectives of Neighbourhood Character.

4.16 Given the form, siting and scale of many recent buildings, it is evident that the design guidelines are ineffectual or inappropriate to guide good and contextually appropriate built form outcomes.

4.17 It is clear that, to achieve the preferred neighbourhood character in the study area, Council must take action to ensure its policies are followed and non-compliant applications are refused.

## 5. Conclusion and Recommendations

5.1 The Data Sheets reveal the scale of redevelopment that has occurred on many sites in Toorak in recent years.

5.2 The Planning Scheme, as currently written, is an inadequate mechanism to protect buildings of significance from redevelopment and to ensure that replacement buildings comply with the descriptions of preferred neighbourhood character.

5.3 There is a need for a greater appreciation of the link between formal heritage and neighbourhood character. Buildings that may not meet the relevant criteria for protection under heritage provisions still have value in terms of the broader character and heritage of the municipality and greater Melbourne as defining the suburb of Toorak. 'Heritage' is often defined as 'the things we want to keep', a broader definition that goes beyond age or association and which acknowledges the subjective value of an object as a contributor to the sense of place and community.

5.4 A Neighbourhood Character Study of the area bounded by the Yarra river, Glenferrie Road, Malvern Road and Williams Road should be undertaken, prospectively leading to an amendment to the Planning Scheme to ensure that the built heritage of Toorak is not further diminished, but that new residential development is consistent with Council's heritage strategy and does not lead to unacceptable loss of character and a more sympathetic level of redevelopment occurs which does not diminish, but enhances, the valued character of the suburb.

5.5 Council should:

1. Acknowledge that the neighbourhood character of Toorak is changing at an increasing rate due to the number, scale and intensity of redevelopment of residential properties, and that this is detrimental to the valued character of the suburb,
2. Rigorously apply the Planning Scheme, especially Clause 22.23, to ensure that applications for planning permit demonstrably adhere to relevant policies, and
3. Commit to undertaking a comprehensive Study of the heritage and character of Toorak with a view to amending the Planning Scheme to better protect the existing built form and siting of dwellings and better manage the scale and size of new residential development.

## APPENDICES

### Appendix 1: Council's Neighbourhood Character Policy

This Policy is set out at Clause 22.23 Neighbourhood Character Policy.

The municipality is divided into four types of Character Precincts. The parts of the Study Area where properties listed in Appendix 3: Data Base are covered by three precincts; Garden River, Garden Estate and Garden Suburban 3.

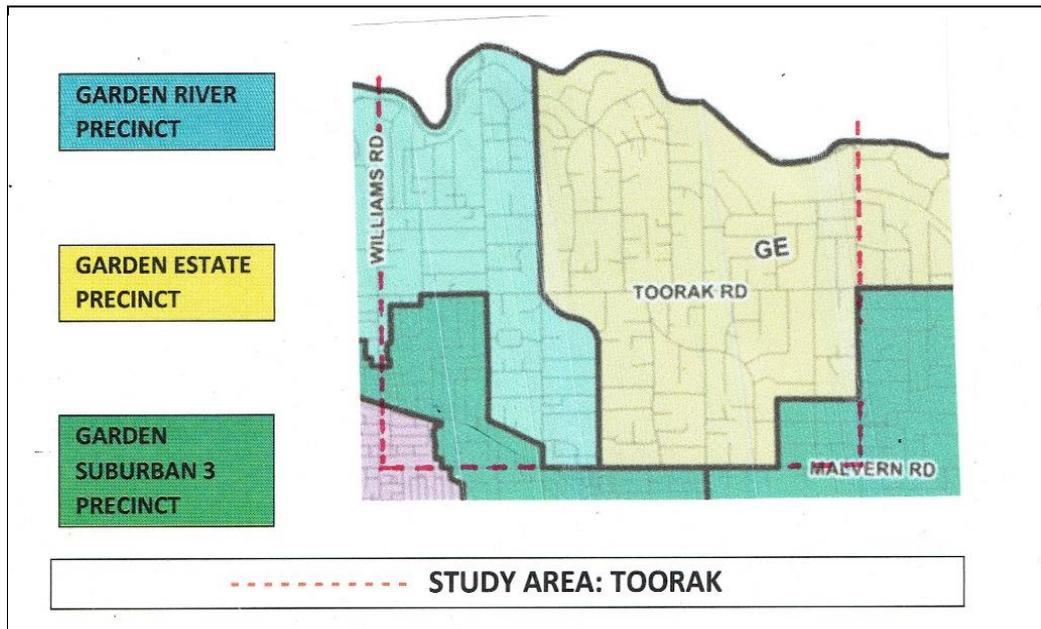


FIGURE 4: THE STUDY AREA SHOWING NEIGHBOURHOOD CHARACTER PRECINCTS

Below is an extract of Clause 22.23, which includes a 'Statement of preferred neighbourhood character' and Design Guidelines for each of these three precincts.

#### Neighbourhood Character Policy

This policy applies to development (including subdivision) and works in residential zones.

#### Policy basis

Character is the interplay between built form, vegetation and topography in the public and private domains, which distinguishes one place from another. All residential areas have neighbourhood character. This policy aims to improve residential design and strengthen neighbourhood character in Stonnington. Encouraging proposals to respect existing or contribute to an area's preferred neighbourhood character is a fundamental principle of good planning and design. The policy implements the findings of the Stonnington Neighbourhood Character Review (2013 with 2014 addendum) which identifies the preferred neighbourhood character of the residential areas in Stonnington, and ways to retain and enhance neighbourhood character.

## Objectives

To ensure that development (including subdivision) and works contribute to the preferred character of the area. To ensure that development (including subdivision) and works reflect the intention of the statement of preferred neighbourhood character and design guidelines for each precinct.

## Policy

When assessing applications for planning permits it is policy to take into account the Statement of Preferred Neighbourhood Character and the design guidelines for the relevant Precinct as shown on Figure 4. The design guidelines provide design responses to assist in meeting the design objectives for each Precinct, together with descriptions of design elements that are to be avoided.

Reference is made in the guidelines to canopy trees. A canopy tree is defined as a tree at least 5 metres in height with a canopy spread of at least 6 metres at maturity.

## Garden River (GR) Precinct

### Statement of preferred neighbourhood character

*The Garden River (GR) character precinct comprises buildings that contribute to the Yarra River and its landscaped setting, with innovative architectural styles set among Victorian, Edwardian and Interwar dwellings and well-planted, spacious gardens. New buildings of varying styles and scales are designed to complement and respect the river environs. Consistent front and side setbacks allow for substantial planting that contributes to the tree canopy, and softens the appearance of built form. Where adjoining or visible from the Yarra, buildings address both the street and the River. Low or permeable front fences provide views of building facades and front gardens. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

### Design guidelines

The preferred character is to be achieved by the following design guidelines:

Design objectives	Design responses	Avoid
<i>To encourage the retention of intact, older dwellings that contribute to the character of the area.</i>	Attempt to retain Victorian, Edwardian and Interwar era buildings that are intact and in good condition, where possible.	Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.
<i>To ensure buildings make a positive contribution to the Yarra River environs.</i>	<p>Minimise the visual impact of development on the Yarra River and its environs.</p> <p>Design buildings to reflect the undulating topography in their form, scale and layout and minimise the need for cut and fill.</p> <p>Minimise site coverage and hard surfaces on sites adjoining sensitive river environs.</p>	<p>Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.</p> <p>Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.</p>

<b>Design objectives</b>	<b>Design responses</b>	<b>Avoid</b>
<i>To ensure new buildings and extensions do not dominate the streetscape.</i>	<p>For sites within a Residential Growth or Mixed Use Zone or within a substantial change area, any upper levels should be designed to minimise impact on any adjoining residential property.</p> <p>For sites in other areas, buildings should reflect the predominant scale of the streetscape.</p>	<p>New developments and extensions that are visually bulky.</p> <p>Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).</p>
<i>To encourage a high quality of building detailing that references, without mimicking, the details of buildings in the area.</i>	<p>New buildings should respond to the streetscape character in an innovative and contemporary manner.</p> <p>Articulate the facades of buildings with the use of recesses, verandahs, balconies, window openings and variations in materials and colours.</p> <p>Roof forms should incorporate eaves.</p>	<p>Building materials, finishes and colours that are in stark contrast with the character of the streetscape.</p> <p>Blank walls and unarticulated facades.</p> <p>Mock historical style, 'reproduction' detailing.</p> <p>Lack of eaves.</p>
<i>To maintain and reinforce the rhythm of spacing between and around buildings.</i>	<p>Provide adequate space between and around buildings to accommodate vegetation.</p>	<p>Inconsistent siting patterns.</p> <p>Inadequate space for planting around buildings. Front facade developed boundary-to-boundary.</p>
<i>To maintain and strengthen the garden settings of buildings and the tree canopy of the neighbourhood.</i>	<p>Include canopy trees and shrubs in landscape plans. Retain established or mature trees where possible and provide for the planting of new canopy trees in front and rear setbacks.</p> <p>Include planting around the perimeter of the site to strengthen the garden setting. Set back basements from all property boundaries to allow for in-ground planting.</p>	<p>Loss of established vegetation.</p> <p>High site coverage, including at basement level, that prevents adequate landscaping opportunities.</p>
<i>To prevent the loss of front garden space and the dominance of car parking structures.</i>	<p>Car parking structures should be located behind the front facade of the dwelling or incorporated into the building in a recessive form.</p> <p>Hard paving for car parking should be minimised and permeable surfaces used as an alternative to impermeable hard surfacing.</p>	<p>Additional crossovers.</p> <p>Car parking structures in the front setback area.</p> <p>Visually dominant car parking structures.</p> <p>Excessive areas of paving and driveways.</p>
<i>To ensure fences complement the predominant style of front</i>	<p>Provide a low, open style front fence constructed of materials</p>	<p>High, solid front fencing.</p>

Design objectives	Design responses	Avoid
<i>boundary treatment in the street and retain views to dwellings and gardens.</i>	appropriate to the dwelling style and era.  On main roads higher front fences may be constructed where they provide approximately 20% permeability and recesses for landscaping.	

### Garden Estate (GE) Precinct

#### Statement of preferred neighbourhood character

*The Garden Estate character precinct comprises large, high quality buildings set within spacious, landscaped gardens. Generous front and side setbacks allow space for substantial planting and canopy trees, which reinforces the leafy character of the precinct and contributes to the Yarra River landscape setting. New buildings or additions offer innovative and contemporary design responses while complementing the key aspects of building form and scale of the precinct. Where adjoining the Yarra, buildings address both the street and the River. While many properties have high front fences, these are designed to incorporate some visually permeable elements or landscaping. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

#### Design guidelines

The preferred character is to be achieved by the following design guidelines:

Design objectives	Design responses	Avoid
<i>To encourage the retention of intact, older dwellings that contribute to the character of the area.</i>	Attempt to retain Victorian, Edwardian and Interwar era buildings that are intact and in good condition, where possible.	Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.
<i>To ensure buildings make a positive contribution to the Yarra River environs.</i>	Minimise the visual impact of development on the Yarra River and its environs.  Design buildings to reflect the undulating topography in their form, scale and layout and minimise the need for cut and fill.  Minimise site coverage and hard surfaces on sites adjoining sensitive river environs.	Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.  Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.
<i>To ensure new buildings and extensions do not dominate the streetscape.</i>	For sites within a Residential Growth or Mixed Use Zone or within a substantial change area, any upper levels should be designed to minimise impact on any adjoining residential property.	New developments and extensions that are visually bulky.  Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).

Design objectives	Design responses	Avoid
	For sites in other areas, buildings should reflect the predominant scale of the streetscape.	
<i>To encourage a high quality of building detailing that references, without mimicking, the details of buildings in the area.</i>	<p>New buildings should respond to the streetscape character in an innovative and contemporary manner.</p> <p>Articulate the facades of buildings with the use of recesses, verandahs, balconies, window openings and variations in materials and colours.</p> <p>Roof forms should incorporate eaves.</p>	<p>Building materials, finishes and colours that are in stark contrast with the character of the streetscape.</p> <p>Blank walls and unarticulated facades.</p> <p>Mock historical style, 'reproduction' detailing.</p> <p>Lack of eaves.</p>
<i>To maintain and reinforce the rhythm of spacing between and around buildings.</i>	Provide adequate space between and around buildings to accommodate vegetation.	<p>Inconsistent siting patterns.</p> <p>Inadequate space for planting around buildings.</p> <p>Front facades development boundary-to-boundary.</p>
<i>To maintain and strengthen the garden settings of buildings and the tree canopy of the neighbourhood.</i>	<p>Include canopy trees and shrubs in landscape plans. Retain established or mature trees where possible and provide for the planting of new canopy trees in front and rear setbacks.</p> <p>Include planting around the perimeter of the site to strengthen the garden setting.</p> <p>Set back basements from all property boundaries to allow for in-ground planting.</p>	<p>Loss of established vegetation.</p> <p>Inadequate space for planting around buildings.</p> <p>High site coverage, including at basement level, that prevents adequate landscaping opportunities.</p>
<i>To prevent the loss of front garden space and the dominance of car parking structures.</i>	<p>Car parking structures should be located behind the facade of the dwelling or incorporated into the building in a recessive form.</p> <p>Hard paving for car parking should be minimised and permeable surfaces used as an alternative to impermeable hard surfacing.</p>	<p>Additional crossovers.</p> <p>Car parking structures in the front setback area.</p> <p>Visually dominant car parking structures.</p> <p>Excessive areas of paving and driveways.</p>

### Garden Suburban 3 (GS3) Precinct

#### Statement of preferred neighbourhood character

*The Garden Suburban 3 (GS3) precinct comprises spacious and leafy streetscapes with Victorian, Edwardian, Interwar or Post-war era and new buildings set in established garden surrounds.*

*Generous, regular front and side setbacks provide space around buildings and allow for canopy trees.*

*New buildings or additions offer innovative and contemporary design responses while complementing the key aspects of building form, one-two storey scale and design detail of the older dwellings in the precinct. Low or permeable front fences retain views to gardens and buildings from the street. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.*

### Design guidelines

The preferred character is to be achieved by the following design guidelines:

Design objectives	Design responses	Avoid
<i>To encourage the retention of intact, period dwellings that contribute to the character of the area.</i>	Attempt to retain Victorian, Edwardian, Interwar and Post-war era buildings that are intact and in good condition, where possible.	Replacement of intact Victorian, Edwardian, Interwar or Post-war era buildings with new buildings that do not reflect the key characteristics of the precinct.
<i>To ensure new buildings and extensions do not dominate the streetscape.</i>	For sites within a Residential Growth or Mixed Use Zone or within a substantial change area, any upper levels should be designed to minimise impact on any adjoining residential property.  For sites in other areas, buildings should reflect the predominant 1-2 storey scale of the streetscape.	New developments and extensions that are visually bulky.  Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).
<i>To encourage a high quality of building detailing that references, without mimicking, the details of buildings in the area.</i>	New buildings should respond to the streetscape character in an innovative and contemporary manner.  Articulate the facades of buildings with the use of recesses, verandahs, balconies, window openings and variations in materials and finishes colours.  Roof forms should incorporate eaves.	Building materials, finishes and colours that are in stark contrast with the character of the streetscape.  Blank walls and unarticulated facades.  Mock historical style, 'reproduction' detailing.  Lack of eaves.
<i>To maintain and reinforce the rhythm of spacing between and around buildings.</i>	Provide adequate space between and around buildings to accommodate vegetation.	Inconsistent siting patterns.  Inadequate space for planting around buildings.  Front facades developed boundary-to-boundary.

Design objectives	Design responses	Avoid
<p><i>To maintain and strengthen the garden settings of buildings and the tree canopy of the neighbourhood.</i></p>	<p>Include canopy trees and shrubs in landscape plans.</p> <p>Retain established or mature trees where possible and provide for the planting of new canopy trees in front and rear setbacks.</p> <p>Include planting around the perimeter of the site to strengthen the garden setting.</p> <p>Setback basements from all property boundaries to allow for in-ground planting.</p>	<p>Loss of established vegetation.</p> <p>High site coverage, including at basement level, that prevents adequate landscaping opportunities.</p>
<p><i>To prevent the loss of front garden space and the dominance of car parking structures.</i></p>	<p>Car parking structures should be setback behind of the front facade of the dwelling fronting the street.</p> <p>Hard paving for car parking should be minimised and permeable surfaces used for hard paving.</p>	<p>Additional crossovers.</p> <p>Car parking structures in the front setback area.</p> <p>Visually dominant car parking structures.</p> <p>Excessive areas of paving and driveways</p>
<p><i>To ensure fences complement the predominant style of front boundary treatment in the street and retain views to dwellings and gardens</i></p>	<p>Provide either no front fence or a low, open style front fence constructed of materials appropriate to the dwelling style and era.</p> <p>On main roads higher front fences may be constructed where they provide approximately 20% permeability and recesses for landscaping.</p>	<p>High, solid front fencing.</p>

**Appendix 2: Assessment of replacement buildings against the design guidelines of Council's Neighbourhood Character Policy (Clause 22.23 of the Planning Scheme)**

**TABLE 3 Part 1: Properties in the Garden River Precinct**

DESIGN GUIDELINES: FEATURES TO AVOID (as set out in Clause 22.23)	Y = avoided N = not avoided ? = can't assess								
	PROPERTY ADDRESS								
	2 Chastleton Ave	6 Chastleton Ave	18 Chastleton Ave	37 Clendon Road	11 Flintoft Ave	10&11 Highgate Hill	3 Hill Street	26 Hill Street	19 & 21 Vista Ave
Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.	?	?	?	N	?	N	N	N	N
Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.	?	N	N	N	N	N	?	?	N
Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.	Y	N	N	?	N	N	N	Y	N
New developments and extensions that are visually bulky.	N	N	N	N	N	N	N	N	N
Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).	Y	Y	?	?	N	N	N	N	N
Building materials, finishes and colours that are in stark contrast with the character of the streetscape.	?	N	?	N	N	?	N	N	N
Blank walls and unarticulated facades.	Y	N	?	?	?	?	Y	N	?
Mock historical style, 'reproduction' detailing.	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lack of eaves.	N	N	N	N	N	N	N	N	N
Inconsistent siting patterns.	?	?	?	?	?	?	?	?	N
Loss of established vegetation.	Y	N	N	N	?	N	N	Y	Y
High site coverage, including at basement level, that prevents adequate landscaping opportunities.	N	N	N	N?	?	N	N	Y	N
Additional crossovers.	Y	N	?	Y	N?	Y	N	Y	?
Car parking structures in the front setback area.	Y	Y	Y	Y	N	Y	Y	Y	Y
Visually dominant car parking structures.	Y	Y	Y	Y	Y	Y	Y	N	Y
Excessive areas of paving and driveways.	Y	N	?	Y	N	?	N	Y	?
High, solid front fencing.	N	N	?	?	?	?	N	Y	?

**TABLE 3: Part 2: Properties in the Garden Estate Precinct (sheet 1)**

DESIGN GUIDELINES: FEATURES TO AVOID (as set out in Clause 22.23)	Y = avoided N = not avoided ? = can't assess							
	PROPERTY ADDRESS							
	19 Albany Rd	46 Clendon Rd	50-52 Heyington Pl	63 Heyington Pl	69 Irving Rd	16 Lansell Rd	22 Lansell Rd	65 Lansell Rd
Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.	N	N	N	?	N	N	N	N
Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.	?	?	N	?	?	?	?	?
Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.	N	N	N	N	N	N	N	N
New developments and extensions that are visually bulky.	N	N	N	?	N	N	N	N
Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).	?	N	N	N	N	N	N	N
Building materials, finishes and colours that are in stark contrast with the character of the streetscape.	N	N	N	?	N	?	N	?
Blank walls and unarticulated facades.	N	Y	Y	?	N	Y	Y	Y
Mock historical style, 'reproduction' detailing.	Y	Y	N	?	Y	Y	N	Y
Lack of eaves.	N	N	N	?	N	N	N	N
Inadequate space for planting around buildings.	N	N	N	N	N	N	N	N
Front Facades development boundary to boundary	Y	Y	Y	?	Y	Y	Y	N?
Loss of established vegetation.	N	N	N	N	N	N	N	N
High site coverage, including at basement level, that prevents adequate landscaping opportunities.	N	N	N	N	N	N	N	N
Additional crossovers.	Y	?	N	?	Y	Y	Y	Y
Car parking structures in the front setback area.	Y	Y	Y	?	Y	Y	Y	Y
Visually dominant car parking structures.	Y	Y	N	?	Y	Y	Y	Y
Excessive areas of paving and driveways.	?	N	N	?	N	Y	N	N

NOTE: 16 Lansell Road: analysis is based on an application for a multi-unit development which has been refused by Council. The applicant has sought a review of that decision at VCAT. The VCAT decision is yet to be handed down.

**Properties in the Garden Estate Precinct (sheet 2)**

DESIGN GUIDELINES: FEATURES TO AVOID (as set out in Clause 22.23)	Y = avoided N = not avoided ? = can't assess								
	PROPERTY ADDRESS								
	6 Ledbury Ct	4 Myvour Ct	5-6 Myvour Ct	802 Orrong Rd	12 St Georges Rd	66 St Georges Rd	3 Stonnington Plc	6 Whernside Ave	9 Whernside Ave
Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.	N	?	Y	N	N	N	N	N	Y
Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.	N	?	?	?	?	?	N	N	?
Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.	N	Y	N	N	N	Y	N	Y	N
New developments and extensions that are visually bulky.	N	N	N	Y	N	Y	N	N	Y
Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).	N	N	Y	Y	N	Y	N	Y	Y
Building materials, finishes and colours that are in stark contrast with the character of the streetscape.	N	N	Y	Y	?	N	N	N	Y
Blank walls and unarticulated facades.	Y	N	Y	N	N	Y	Y	Y	Y
Mock historical style, 'reproduction' detailing.	Y	Y	Y	Y	Y	N	N	Y	Y
Lack of eaves.	N	N	N	N	N	N	Y	N	Y
Inadequate space for planting around buildings.	N	N	N	N	N	Y	N	Y	N
Front Facades development boundary to boundary	Y	Y	Y	N	Y	Y	Y	Y	Y
Loss of established vegetation.	N	N	N	N	N	N	N	Y	Y
High site coverage, including at basement level, that prevents adequate landscaping opportunities.	N	Y	N	N	N	?	N	Y	N
Additional crossovers.	?	Y	Y	?	?	Y	N	Y	Y
Car parking structures in the front setback area.	Y	Y	Y	Y	Y	Y	Y	Y	Y
Visually dominant car parking structures.	N	Y	Y	Y	Y	Y	Y	Y	Y
Excessive areas of paving and driveways.	N	N	N	?	N	Y	N	N	Y

**TABLE 3: Part 3: Property in the Garden Suburban 3 Precinct**

DESIGN GUIDELINES: FEATURES TO AVOID (as set out in Clause 22.23)	Y = avoided N = not avoided ? = can't assess
	PROPERTY NUMBER
	2A Hopetoun Rd
Replacement of Victorian, Edwardian and Interwar era buildings with new buildings that do not reflect the key characteristics of the precinct.	N
Buildings that do not respond to the landscape quality or topography of the area or the interface with the Yarra River environs.	?
Excessive site coverage and hard surfaces that leave inadequate space for trees and vegetation to complement the sensitive landscape environs.	N
New developments and extensions that are visually bulky.	N
Development out of scale with the streetscape (other than for sites within a Residential Growth or Mixed Use Zone or within a substantial change area).	N
Building materials, finishes and colours that are in stark contrast with the character of the streetscape.	N
Blank walls and unarticulated facades.	Y
Mock historical style, 'reproduction' detailing.	Y
Lack of eaves.	N
Inadequate space for planting around buildings.	N
Front Facades development boundary to boundary	N
Loss of established vegetation.	N
High site coverage, including at basement level, that prevents adequate landscaping opportunities.	N
Additional crossovers.	Y
Car parking structures in the front setback area.	Y
Visually dominant car parking structures.	Y
Excessive areas of paving and driveways.	?

**Appendix 3: Extract from Planning Practice Note 43: Understanding Neighbourhood Character**

Planning Practice Notes are provided by the State to assist applicants and Councils in preparing or assessing planning permit applications.

This extract from Planning Practice Note 43 is included to demonstrate the matters that should be considered in preparing a Neighbourhood and Site Description, as required by Clauses 54 and 55 of the Planning Scheme.

***Identifying the features and characteristics of the neighbourhood***

*Identifying the features and characteristics of the neighbourhood required by the neighbourhood and site description does not mean producing an exhaustive list of features in the neighbourhood.*

*Listing discrete features and characteristics of an area is not an adequate description of the character of a place. Understanding the relationship between the features and characteristics of a neighbourhood is important to describing the character of the area.*

*The key is to consider the interaction between features and characteristics. A decision needs to be made about which of the features and characteristics are important and then explain how they interact to contribute to the character of the neighbourhood.*

***What features and characteristics should be considered?***

*Describing neighbourhood character requires a qualitative assessment and the exercise of judgement about which features and characteristics determine the neighbourhood character of an area.*

*The following table sets out one process that could be used to identify the most important features and characteristics of the neighbourhood that will influence the design response.*

*The table is not an exhaustive list of either the questions that might be asked or the features that might be identified to assist in determining the character of an area. Describing the character of an area will also depend on the extent of neighbourhood character analysis already undertaken by the relevant council and the particular characteristics of the neighbourhood in question.*

*The table is a prompt to identify and describe the key features and characteristics that will influence the design response rather than an exhaustive list of features to be considered.*

*Any assessment that takes a 'tick-a-box' approach to identifying the features and characteristics of the neighbourhood is not sufficient.*

<b>Matters to be considered</b>	<b>Questions that might help in the preparation of the neighbourhood and site description</b>	<b>Terms/features that might help to describe this aspect of neighbourhood character</b>
<i>The pattern of development of the neighbourhood (only required where more than one dwelling on a lot is proposed)</i>	<p><i>Is the neighbourhood typical of a particular form or pattern of development?</i></p> <p><i>Are there any patterns in building form, height, setbacks or rhythm?</i></p> <p><i>How do these relate to topography, natural features and street network?</i></p> <p><i>Is there any pattern in relation to any particular feature or characteristic?</i></p> <p><i>What is the pattern of landscape and street tree planting?</i></p> <p><i>How do buildings and private open spaces relate to each other or to the public realm?</i></p>	<ul style="list-style-type: none"> <li>• Topography</li> <li>• Street block length</li> <li>• Street alignment, type and proportions</li> <li>• Extent of rear gardens and private open space</li> <li>• Landscaping and vegetation in the neighbourhood</li> <li>• Patterns of use and occupation</li> <li>• Diversity of housing</li> </ul>
<i>The built form, scale and character of surrounding development including front fencing</i>	<p><i>What is the predominant form of development?</i></p> <p><i>Is the neighbourhood homogenous or diverse in terms of the built form, scale and character?</i></p> <p><i>What sort of front fences are there?</i></p> <p><i>How is parking and access arranged?</i></p>	<ul style="list-style-type: none"> <li>• Building mass and height</li> <li>• Setbacks</li> <li>• Space around properties and site coverage</li> <li>• Car parking</li> <li>• Fences (style and height)</li> </ul>
<i>Architectural and roof styles</i>	<p><i>What architectural styles are typical in the neighbourhood?</i></p> <p><i>What levels of articulation and detail are typical in the neighbourhood?</i></p> <p><i>How do roof patterns relate to built form?</i></p>	<ul style="list-style-type: none"> <li>• Architectural rhythm of street</li> <li>• Porches and verandahs</li> <li>• Architectural consistency</li> <li>• Roof form</li> </ul>
<i>Any other notable features or characteristics of the neighbourhood</i>	<p><i>Are there any other notable features that have not been picked up through the consideration of the above matters?</i></p> <p><i>Are there any significant street trees or vegetation that would affect the design response?</i></p>	<ul style="list-style-type: none"> <li>• Waterways</li> <li>• Street trees</li> <li>• Details of the footpath and street</li> <li>• Landscaping and vegetation on private lots</li> <li>• Nearby historic buildings or features</li> </ul>

**Appendix 4: Jim Holdsworth - Curriculum Vitae**

Jim Holdsworth is a graduate of the School of Architecture, University of Melbourne.

His wide-ranging experience as an architect and urban designer includes consultancies over several decades to the private sector and to State and local governments, and as a senior officer in local government.

He was a sessional member of Planning Panels Victoria for eight years to 2017, serving on many Panels and several Ministerial Advisory Committees. He regularly appears as an expert witness at VCAT Hearings, acting for applicants, councils or resident objectors depending on the merits of the matter.

He currently conducts a specialist architectural, urban design and planning consultancy.