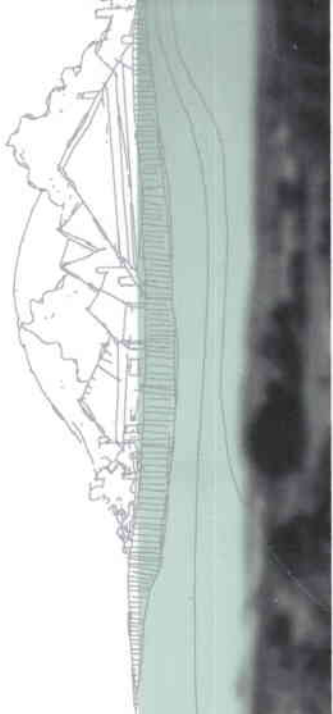


CEOs
copy

Daylesford



Neighbourhood Character Study
Hepburn Shire Council
October 2002



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| | |
|-----------------------|--|
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Steering Committee

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Bob Bevan, Department of Infrastructure
 Ian Esmore, Resident
 Paul Johnston, Resident
 Heather Mutimer, Resident
 Max O'Shea, Ward Councillor
 David Smith, Ward Councillor
 Doris Stockton, Resident
 Kate White, Resident

Study Team

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Foreword

The brief for the Daylesford Neighbourhood Character Study was to survey the neighbourhood character of the residentially zoned parts of Daylesford, describe that character through words and photographs, and produce guidelines to maintain, enhance and improve the residential character of Daylesford.

Daylesford is a township that has a very distinctive landscape setting, straddling a ridge and saddle in the uplands of the western Great Dividing Range. Much of the town's neighbourhood character is about the relationship of landscape to development, as most of the township's setting is forested, or comprises of paddocks with treed backdrops. Prominent natural features include Wombat Hill and Lake Daylesford. The township includes areas with buildings dating from the early goldfields settlement of the town, bushy residential environments with vegetation dominating the streetscape, to later 20th century suburban development. The relationship of development to topography is fundamental to the character of Daylesford.

This study sets out the means by which to protect and enhance these valued characteristics of Daylesford. The success of this study will require collective understanding and concerted action by the Council, Shire citizens, developers and other agencies. The maintenance of Daylesford's distinctive character is an imperative to the future economic, environmental and social success of the town. We present this study as the vehicle for initiating protection, maintenance and enhancement of Daylesford's neighbourhood character.

Lisa Riddle and Mike Scott
Planisphere
October 2002

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1

Brief and Method

1.1 Brief

The Brief for the project included the following objectives:

- Identify and define the distinctive and valued elements of neighbourhood character in Daylesford's residential areas.
- Identify the different neighbourhood character precincts within Daylesford township.
- Develop an acceptable methodology for identifying and evaluating neighbourhood character of Daylesford.
- Recommend appropriate strategies and actions to implement the neighbourhood character study eg planning scheme amendment, community awareness.
- Provide greater certainty to landowners, developers, architects, designers and the community about what constitutes neighbourhood character and what are appropriate siting and design responses.
- Conduct an appropriate community consultation program involving all stakeholders.

The State government elected in 1999 undertook to make neighbourhood character the 'mandatory starting point' for consideration of residential planning applications. ResCode, the State code for residential development, was introduced in August 2001 just after the Neighbourhood Character Study process had begun. The Study was consequently undertaken with the intent of implementing recommendations within the ResCode framework.

There are high expectations among community members that the introduction of ResCode will improve the quality of residential development from a neighbourhood character perspective. Because the Daylesford Neighbourhood Character Study has been completed after ResCode's introduction into the Victorian Planning Provisions, Council is ideally placed to implement the study using the new tools and context provided by ResCode. The Study provides strategic and well-researched information to be able to determine the preferred character of key parts of Daylesford, where to seek planning scheme protection and in what form, and how to ensure consistency in discretionary decision making.

A copy of the Brief is contained in [Appendix 1](#).

Daylesford

Daylesford is located in central Victoria along the Midland Highway, approximately 120 kilometres northwest of Melbourne, and 50 km northeast of Ballarat. Daylesford was first settled during the gold rush of the 1850s, with a population of 3278 persons by 1996. In recent years Daylesford has attracted an influx of new residents, particularly from metropolitan Melbourne, who have made Daylesford their permanent or part-time place of residence, as well as becoming a popular tourist destination.

This Study area was defined by Council and covers residential areas of Daylesford that are covered by the Residential 1 Zone (R1Z) and Low Density Residential Zone (LDRZ). The areas included in the Study are identified in [Appendix 2](#). The Hepburn Planning Scheme provides for the protection of urban character in areas where Heritage Overlays and Design and Development Overlays have been applied. This Study was commissioned to identify the neighbourhood character of residential areas of Daylesford outside of these areas, in light of the lack of policy direction and guidance in the planning scheme, and the absence of a methodology for identifying and assessing neighbourhood character.

1.2 Methodology

The methodology is based on the tasks listed in the brief, elaborated into the following process:

Preliminaries

The initial step was to confirm the brief, detailed timelines and approach, and commence the background research, including:

- Review of the project brief.
- Preparation of detailed project timetable, including provisional dates for all meetings.
- Consultant background briefing session, including review of best practice.
- Literature review, including review of current planning controls and policies.

Neighbourhood Character Framework

This stage of the project established the framework for subsequent work, including preliminary identification of neighbourhoods and detailed consultation methodology. More information about the survey can be found in [section 4.1](#) of this report. The steps were:

- Initial windshield survey of the study area.
- Identification of the broad Neighbourhood Character Area typologies found in Daylesford, including key issues in each. Character Area typologies are based on the general form, layout and streetscape qualities.

- Initial documentation of threats to existing character areas
- Preliminary identification of neighbourhood precincts

Survey and Mapping

Every street was surveyed, and relevant information collected, mostly in map form, and aggregated to blocks or groups of properties with like characteristics. More information about the survey can be found in [section 4.1](#) of this report.

Define, Describe and Map Definitive Character Precincts

The Character precincts were defined, described and presented in the form of 'Precinct Issues Papers'. All the Precinct Issues Papers are contained in [Appendix 3](#). The method is described in [section 5.2](#) of this report.

Prepare Draft Guidelines

The guidelines were framed in direct response to any mismatch identified between the threats to a precinct's character and the preferred future character of each precinct. The guidelines are communicated through character precinct brochures. The advantage of this approach is that the information for one area is all together in one hand-out, in a clear and easy to read format. The character precinct brochures include photographs, a map, preferred character statement and guidelines (more information in [section 5.3](#)).

Prepare Implementation Recommendations

The best statutory implementation mechanisms were developed in consultation with the Steering Committee. Options that required careful consideration include local variations to ResCode requirements, Local Policy and Overlays. [Chapter 6](#) contains full details.

An important aspect of this task was to apply a *discriminating* approach to statutory implementation. Only areas with special characteristics warranted additional planning controls which is an approach that has been endorsed in a recent panel report on a study prepared by this practice.

We have also addressed non-statutory mechanisms such as education and encouragement and, importantly, works by public authorities, in particular road and footpath treatments and street planting usually carried out by the Council.

1.3 Consultation

A communication strategy was developed with the Council at the start of the study process. This focussed on three elements: communication, participation and consultation.

The aim of *communication* was to inform a wide audience about the existence of the study, its progress, and opportunities for involvement. The purpose of *participation* was to involve a necessarily small group in helping to shape the content of the study as it emerged. *Consultation* provided an opportunity for widespread public comment on the study and input into the issues that it should have addressed. We therefore conducted a consultation methodology that:

- Included two Public Workshops open to all of the Daylesford community.
- Established a Steering Committee with representatives from across Daylesford (see below).

Specific components of the Communication Strategy included:

Public Workshops

Two Public Workshops were convened in the study process. The purpose of the first Public Workshop was to:

- Provide an opportunity to announce the start of the project and explain its purpose.
- Canvass the main issues of concern in the community.
- Build confidence in the study.
- Commence the Disposable Cameras exercise.

The purpose of the second Public Workshop was to:

- Test identified areas in the town with like characteristics.
- Test 'preferred character statements' for each identified area.

Meeting Dates and Locations were as follows:

| DATE | LOCATION |
|------------------------|----------------------|
| Thursday 21 March 2002 | Daylesford Town Hall |
| Thursday 6 June 2002 | Daylesford Town Hall |

Community Photographic Exercise

A Community Photographic Exercise was initiated at the first Public Workshop. It involved distributing disposable cameras to community members, and asking them to take photographs of developments they liked and disliked, with locations and reasons. Upon the request of the Steering Committee members, the boards were displayed at the Council offices to enable viewing by the community. This provided a great deal of debate within the Daylesford community. This technique engaged key members of the community in the study process; identified community perceptions; and provided an excellent start to the process of the mutual learning and understanding that should underpin a study of this nature.

Steering Committee

A total of four Steering Committee Meetings were conducted. The Steering Committee oversaw production of the content of the Study, as well as acting as the operational/organisational management team for the study, comprising Council officers, study team members, and a number of people from the local community. Meetings occurred at key milestones of the study program to approve draft material and briefs for future work. These Steering Committee meetings allowed time for the group to 'form' and 'norm', and to provide productive input to the study at key stages.

Community Bulletins

Three editions of a Community Bulletin were distributed. They assisted to inform the wider community about the existence of the study, its purpose and its approach. It was also used to announce the public meetings.

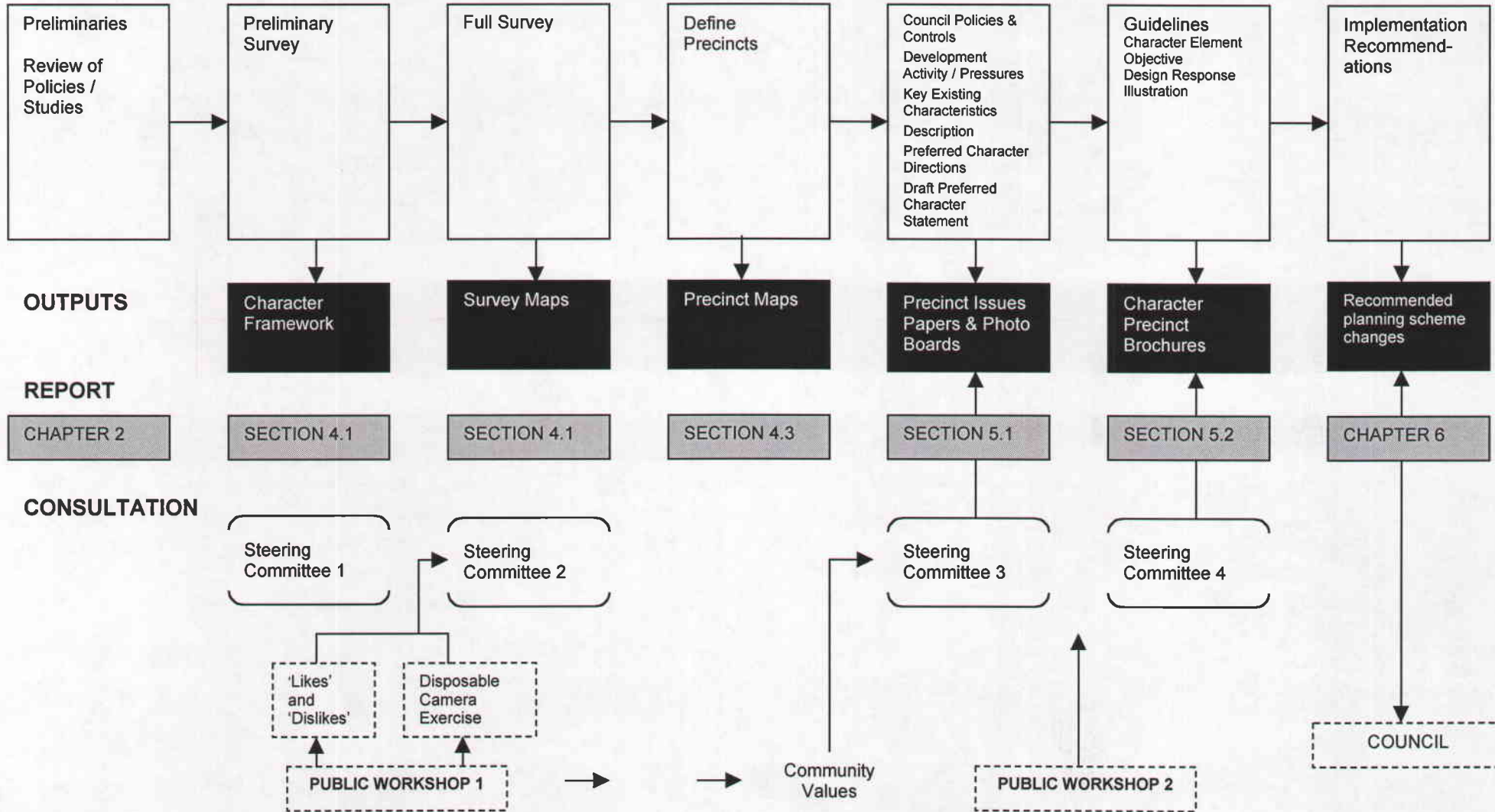
Public Consultation Period

A public consultation period will occur upon release by the Council of a draft report in late 2002.

The study methodology is summarised in the diagram on the following page.

Study Process Diagram

TASKS



2

Policy Context

2.1 State Policies

State Planning Policy Framework

The State Planning Policy Framework (SPPF) comprises of a statement of general principles for land use and development planning, and specific policies dealing with sectoral issues. Planning and responsible authorities must take into account and give effect to both the general principles and the specific policies applicable to issues before them to ensure integrated decision-making.

In Clause 13 Settlement, the SPPF states the following issue as being of relevance to neighbourhood character:

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards:

- Health and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

Under the Settlement section, Clause 14.01 Planning for Urban Settlement, one of the objectives is:

To facilitate the orderly development of urban areas.

At Clause 14.01-2 General Implementation the SPPF states that:

In planning for urban growth, planning authorities should encourage consolidation of existing urban areas while respecting neighbourhood character.

Under the Housing section, the objectives in relation to medium density housing as outlined in Clause 16.02-1 are:

To encourage the development of well-designed medium-density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.

Clause 19.03 of the SPPF includes the following objectives in relation to Design and Built Form:

To achieve high quality urban design and architecture that:

- Reflects the particular characteristics, aspirations and cultural identity of the community.
- Enhances livability, diversity, amenity and safety of the public realm.
- Promotes attractiveness of towns and cities within the broader strategic contexts.

Clause 19.03-2 General Implementation states that:

Development should achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

ResCode

Before the introduction of ResCode, character studies either aimed at introducing Local Variations to the Good Design Guide, or they made use of other planning mechanisms available in the VPPs (Victoria Planning Provisions). Local Variations proved to be difficult to achieve, and their potential seemed to have limited effectiveness compared to other mechanisms, which include:

- Local Policy (including additions to the Municipal Strategic Statement)
- Overlay Controls (eg Design & Development Overlay, Vegetation Protection Overlay)

The introduction of the Victorian State Government's new residential provisions, collectively known as ResCode, has meant that neighbourhood character is now the mandatory starting point in the assessment of planning applications. ResCode offers a selection of tools that provide progressive levels of protection for neighbourhood character. These tools can enable protection of existing character or encouragement of a preferred neighbourhood character determined by Council. The introduction of these tools into Councils' Planning Schemes requires a proper amendment process. The ResCode tools for the protection of neighbourhood character are as follows.

Standards and Zone Provisions

The standards and zone provisions in ResCode provide a greater emphasis on neighbourhood character than the Good Design Guide where neighbourhood character was only one of many elements with equal weight. Where ResCode states that neighbourhood character should be respected (or similar expressions), this provides a clear opening for the Responsible Authority to refer to the guidelines and policies of a properly prepared character study. References of this type are strong and frequent, and there is also a clear neighbourhood character objective in relevant residential zones.

Local Planning Policies

In addition, the Decision Guidelines in the relevant clauses of the VPPs state that the Responsible Authority *must* consider '...the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies'. This means that, if character policies are properly incorporated into the Planning Scheme, as is proposed with this study, those policies carry considerable weight not only with Councils but also at the Victorian Civil and Administrative Tribunal (VCAT).

Schedules to the Zones

Councils are now able to add a schedule to a residential zone varying the following standards:

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

However a limitation on the usefulness of this mechanism, from the neighbourhood character perspective, is that it can only apply in the relevant residential zone *throughout* an entire municipality.

Permits for Single Dwellings

Councils can vary the minimum lot size that triggers the need for a town planning permit for construction of a single dwelling. Size, siting, and in some cases design, of single dwellings can be a neighbourhood character issue. However, once again this provision can only apply in the relevant residential zone *throughout* an entire municipality.

Neighbourhood Character Overlay

The Neighbourhood Character Overlay (NCO) has been heralded as the most specific and effective tool for applying neighbourhood character policy. The permit requirements are comprehensive and can include demolition, tree removal and front fences as well as all buildings and works. This is the mechanism preferred by the Department of Infrastructure for implementing a character study *where an overlay type of control is justified*. It is clear that NCOs will only be allowed over confined and specific areas. They will not be able to apply across an entire municipality.

While this mechanism provides a useful additional neighbourhood character control tool, it has limitations because its permit requirements are so extensive. The overlay requires a permit for all buildings and works, and only dwelling outbuildings and swimming pools may be exempt from this requirement. It is not possible to exempt certain types of development, for example, all buildings under a certain height or buildings with low site coverage. This may be considered an advantage in certain circumstances, but clearly precludes the use of the Overlay over extensive areas of the Shire due to the administrative burden and the onerous permit requirements imposed on landowners. It requires discriminating application and is designed for this purpose.

This matter of the most appropriate planning tool for the implementation of the recommendations of this study is discussed in more detail in [Chapter 6 Implementation](#).

2.2 Council Policies

There are various sections of the Shire of Hepburn Planning Scheme and a range of Council policies that impact upon the project. A description of each policy and its implications are as follows:

Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is part of the planning scheme. It is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. The MSS establishes the strategic planning framework for the municipality. The statement encapsulates significant planning directions for the municipality and in turn provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the Council.

The MSS provides an environmental, social and economic profile of the Shire and describes and State and regional context of the Shire. It also details objectives and strategies for:

- Settlement and Housing;
- Infrastructure and Transport;
- Economic Development;
- Rural Land Use and Agriculture; and
- Environment and Heritage.

Implications for the Neighbourhood Character Study

The Neighbourhood Character Study may result in the strengthening of particular sections of the MSS. The Study could provide the strategic research and justification for enabling the MSS to place greater emphasis on the importance of neighbourhood character within the Shire. However, sections of the MSS that relate specifically to neighbourhood character may require updating to make reference to this Study.

Clause 21.04-1 Settlement and Housing

This section of the MSS identifies planning for growth in a sustainable and managed manner as a key strategy. The objectives of this clause are:

- To provide for a range of housing and lifestyle options while protecting rural land values
- To improve the character of development in established urban areas

Strategies to achieve this include:

- Recognise environmental and tourism values associated with significant landscape locations
- Encourage tourism and other non-residential development that is sensitive to neighbourhood and town character in appropriate locations.

Implications for the Neighbourhood Character Study

The precinct character descriptions as identified by the Neighbourhood Character Study will support and help to achieve the above objectives. In particular, the Study has the potential to produce specific guidelines relating to dwelling design, making new developments respond to their site and surroundings while fitting in with the identified urban character themes for their area. The implementation section of this clause may require updating to make reference to this Study.

Clause 21.04-5 Environment and Heritage

The identification and protection of significant roadsides and management of landscapes within the Shire of Hepburn in response to ongoing development pressure is addressed in this section of the MSS. The objectives of this clause that relate to neighbourhood character are:

- To protect the cultural heritage of Hepburn, while promoting appropriate development opportunities for areas and sites of cultural heritage significance, and
- To manage development where significant landscape features could be adversely affected.

Strategies to achieve this include:

- Providing guidance for development to maintain the integrity of localities and precincts with important heritage character
- Assess development applications against the landscape value of an area where specified, having regard to ridgelines, hilltops, and other significant landscape features.

Implications for the Neighbourhood Character Study

The guidelines, policies and controls that are contained within the Neighbourhood Character Study will support and help to achieve the above objectives. In particular, the Study has the potential to produce specific guidelines relating to topography / land form and vegetation, resulting in development that is encouraged to be site-responsive and sensitive to identified character values. The implementation section of the clause may require updating to make reference to this Study.