



# Urban Strategy Department

## Neighbourhood Character Overlay- Highett

### Amendment C109

## What is Neighbourhood Character?

Neighbourhood Character is a term used by town planners to describe the particular appearance of an area that makes it distinctive.

Neighbourhood Character can be created by a range of factors such as the types of buildings or front gardens in a streetscape, how far buildings are set back from the street or side boundaries, or the type and presence of street trees, for example.

## What is an Overlay control and how does it work?

An Overlay applies additional town planning controls over properties and is designed to guide selected aspects of development. Depending on what characteristics of a neighbourhood are found to be significant, an Overlay control may introduce particular guidelines, for example, about the design and siting of buildings, removal of vegetation, or the location of garages and carports.

A Neighbourhood Character Overlay (NCO) is proposed in Bayside Planning Scheme Amendment C109 to ensure that new development respects the preferred future character of two areas in Highett; properties bounded by Tibrockney Street, Sterling Avenue and Beaumaris Parade and properties along Noyes Street and Sydenham Street.

These two areas, formerly zoned industrial, are now zoned for residential use. The proposed Neighbourhood Character Overlay includes specific controls to guide this transition and for new residential development to have proper regard to surrounding neighbourhood character.

Please refer to the *City of Bayside Highett Neighbourhood Character Review Planisphere, March 2011* report to understand the basis for Amendment C109. The *City of Bayside Highett Neighbourhood Character Planisphere, March 2011* report is available in Council libraries, the Bayside Corporate Centre and Council's website [www.bayside.vic.gov.au/planning\\_projects](http://www.bayside.vic.gov.au/planning_projects)

## Frequently Asked Questions

**Q: How does this Neighbourhood Character control differ from Heritage Controls?**

**A:** Heritage controls are primarily aimed at retaining the elements of the neighbourhood or property that have heritage significance.

Neighbourhood character controls are primarily aimed at ensuring that new development fits in with the preferred future character of the area.

**Q: Will it be possible to paint houses/buildings any colour or render them?**

**A:** Yes, the Overlay control will not require a permit for painting or rendering houses.

**Q: Will it be possible to demolish buildings in the neighbourhood and build a new house or units?**

**A:** Yes. If the Overlay is applied, a planning permit will not be required to demolish a building. Any new building or redevelopment of existing buildings will require a planning permit. Council will issue the planning permit if it is satisfied that the new development meets the desired neighbourhood character objectives for the area.

**Q: Is it a guarantee that developments that do not fit characteristics of the area will not go ahead?**

**A:** No. The Overlay is only a guide to owners and developers on the desired 'look' and 'feel' of the neighbourhood. It is used by planners, Council and Victorian Civil and Administrative Tribunal (VCAT, the Victorian Government planning appeal body) and is one of the considerations in making planning decisions.

**Q: What if a building does not fit with the neighbourhood character now? Will it be exempt from Neighbourhood Character Controls?**

**A:** No, all properties within the Overlay area will be affected by the Overlay in the same way.

**Q: Once the Overlay is applied to the neighbourhood, can a property be removed from the Overlay?**

**A:** Once the Overlay is in place it cannot be removed without a further amendment to the Bayside Planning Scheme. The Overlay is intended as a permanent control.

**Q: Is there any more than the Neighbourhood Character Overlay controls to consider?**

**A:** Yes. The Bayside Planning Scheme includes other controls and neighbourhood character strategies and policies which are used in assessing a permit application. This includes, but is not limited to the Bayside Municipal Strategic Statement (MSS - Clause 21) and the Bayside Neighbourhood Character Policy (Clause 22.06) which also applies to all properties within the Neighbourhood Character Overlay.

**Further Information**

For further information please contact Bayside City Council's Urban Strategy Department on (03) 9599 4444.

