

birregurra neighbourhood character study

prepared by **hansen partnership** pty ltd
for colac otway shire council

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urban planning | urban design | landscape architecture



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Birregurra Community

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table of contents

1	overview	1
1.1	introduction	1
1.2	what is neighbourhood character?.....	1
1.3	core study objectives	2
1.4	study focus.....	2
1.5	study area.....	2
2	summary of issues analysis paper	4
2.1	impact from reticulated sewerage.....	4
2.2	controls over buildings.....	4
2.3	vegetation protection	4
2.4	streetscape elements.....	5
2.5	township entries.....	5
3	existing character	6
3.1	consultation.....	6
3.2	fieldwork.....	7
3.3	existing character sheets	7
4	preferred character areas	15
4.1	rationale behind the different areas	15
4.2	preferred character area a	19
4.3	preferred character area b	22
4.4	preferred character area c	25
4.5	preferred character area d	28
4.6	preferred character area e	30
4.7	general requirements.....	30
5	greenfield subdivision	33
5.1	guidelines for subdivision.....	33
6	public realm character issues	35
7	planning scheme implementation	37
7.1	potential mechanisms	37
7.2	recommendations	39
7.2.1	modifications to the municipal strategic statement	39
7.2.2	introduction of a design and development overlay	39
7.2.3	introduction of a vegetation protection overlay	40
7.2.4	introduction of the study as a reference document.....	41



table of figures

figure 1 - study area	3
figure 2 - existing character areas.....	9
figure 3 - preferred character areas	17

appendices

appendix 1 – fieldwork data collection sheet	
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1 overview

1.1 introduction

Colac Otway Shire Council commissioned Hansen Partnership to undertake the Birregurra Neighbourhood Character Study in June 2011.

The rationale for the study is the need to plan for the future development of Birregurra given the recent connection to reticulated sewerage by Barwon Water. Therefore, the primary focus of the study is to establish a planning framework to appropriately manage the impact of new development on the existing neighbourhood character, and to assist in determining the design, form and quality of housing to be developed. The current draft Birregurra Structure Plan project has been extended to ensure the findings of the Neighbourhood Character Study are taken into account before the Structure Plan is finalised.

State planning policy seeks to encourage planning for regional areas that develops and reinforces the distinctive roles and character of each township. Colac Otway Shire Council recognises that townships have their own distinctive character with tree lined avenues and 'turn of the century' streetscapes, houses, commercial and public buildings and their surrounding rural and landscape settings. Development pressures, high costs of accommodation for tourists and workers and an increase in tourist numbers in Lorne and other coastal communities has seen more people exploring nearby towns such as Birregurra for accommodation and recreation.

The appeal of townships such as Birregurra requires careful consideration of how residential development can provide a balance between old and new. Hence, this study provides the 'guidelines' as to how new development should be managed in Birregurra to respect and enhance the valued characteristics of the township and to reinforce its distinctive role and character of the place.

1.2 what is neighbourhood character?

The Department of Planning and Community Development Practice Note on 'Using the Neighbourhood Character Provisions in Planning Schemes' defines neighbourhood character as:

The combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small. It is the cumulative impact of all these contributions that establishes neighbourhood character.

Respecting character does not mean preventing change. In simple terms, respect for the character of an area means that development should be designed in response to its context. Depending on an area, there are several broad approaches to respecting character:

- Respecting the bulk and form of surrounding development;
- Respecting the architectural style of surrounding development; and
- Responding to other items such as vegetation, street characteristics, lot sizes etc.

Respecting neighbourhood character does not mean mimicry or pattern book design, or limiting the scope of design interpretation and innovation. Instead, it means designing development in response to the features and characteristics identified in the neighbourhood.



1.3 core study objectives

The core objectives of the study are:

- To develop character objectives and design guidelines for new residential development within existing areas, in order to respond to the valued character of these areas;
- To develop character objectives and design guidelines that can be applied to new residential growth areas (where these are identified in any Structure Plan prepared for Birregurra), in order to respect the rural town character of Birregurra; and
- To provide recommendations on the statutory implementation of the study, including consideration of the range of tools available in the Victoria Planning Provisions (VPPs).

1.4 study focus

The purpose of the Neighbourhood Character Study is to review the character of residential areas within Birregurra with a view to recommending appropriate planning tools from the VPPs, to effectively address and appropriately manage future development.

The Neighbourhood Character Study involves a three stage process incorporating:

- Stage 1: Issues Analysis Paper;
- Stage 2: Existing Character Statements; and
- Stage 3: Future / Preferred Character Areas and Design Guidelines.

The role of the *Issues and Analysis Paper* was to build on the basic 'understanding of the place' through a more detailed background assessment and consultation process that provides a clear summary of the key issues that should be addressed. The *Birregurra Neighbourhood Character Study* (this document) provides further information on existing and future character precincts and subsequent design guidelines. For any recommendations following on from this study, it will be necessary to pursue a planning scheme amendment to implement such changes within the Colac Otway Planning Scheme.

1.5 study area

The study area for the purpose of the Neighbourhood Character Study includes all land defined by Figure 1, which includes the following areas:

- The existing township boundary, which includes:
 - Land within the Township Zone and Low Density Residential Zone (refer to Figure 2 on p6).
 - The golf course and football oval/sporting facilities.
 - The railway station and Industrial 1 Zone to the north of town.
- The 'investigation area' to the north-west of town defined in the draft Birregurra Structure Plan.

All other areas outside the study area are zoned for farming and hence cannot be developed for urban residential purposes. Therefore, those areas are not considered as part of the study.

birregurra neighbourhood character study

figure 1 - study area

legend

existing township boundary 



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2 summary of issues analysis paper

2.1 impact from reticulated sewerage

Until recently, Birregurra has not been connected to a reticulated sewerage system, which means that properties have remained relatively large, to accommodate on-site wastewater treatment systems. In the absence of reticulated sewerage, each lot must be large enough so that it is capable of treating and retaining all wastewater on-site, in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The connection to reticulated sewerage by Barwon Water will unlock the potential for smaller lot subdivision and multi-unit development within the town, as there is currently no restriction on minimum lot size within the Colac Otway Planning Scheme. Clause 56 of the Planning Scheme provides 'standards' for subdivision, however potentially landowners could apply for lots down to 600 sqm, or even 300 sqm as part of a multi-unit permit application.

The Neighbourhood Character Study will need to investigate the appropriateness of planning controls or guidelines regarding the size of lots and medium density development within Birregurra.

2.2 controls over buildings

Where a planning permit is not required, there is generally no control over the design and layout of buildings, other than for the basic setback requirements etc provided in the building regulations (similar to the requirements of Clause 54 of the planning scheme for detached houses). Under the existing planning controls that apply to the urban areas within Birregurra, a planning permit is not required for a single dwelling on a lot (unless the lot is less than 300 sqm). However all multi unit development is subject to a planning permit and the provisions of Clause 55 apply, which do trigger the possibility of taking into account neighbourhood character considerations for multi-unit developments.

Overlay controls (refer to Page 9 to 11) may trigger the need for a planning permit in relation to other objectives such as flooding or erosion management. However, these permit triggers do not provide control over the scale, siting and form of buildings, excluding land within a Heritage Overlay, which controls demolition and also requires a planning permit for all new buildings.

The Neighbourhood Character Study will establish existing character precincts for areas which exhibit different character elements. It will then formulate future character precincts that will either correspond with the existing precincts, or look at new precincts that outline preferred future character. Each precinct may encompass different controls over such things as building height, setbacks, front fence treatment etc. These can be controlled in the Planning Scheme through the use of either a Design and Development Overlay or a Neighbourhood Character Overlay, amongst other things.

2.3 vegetation protection

There are currently no specific Planning Scheme Overlays that require a planning permit for removal of vegetation in Birregurra, such as the Vegetation Protection Overlay or Significant Landscape Overlay.



The removal of *native* vegetation in Birregurra is controlled to some degree by Clause 52.17 – Native Vegetation, but that clause only applies when a site area is 0.4 hectares or more. Therefore, vegetation on many lots within Birregurra could be removed without the need for a planning permit.

The contribution of exotic and native vegetation to the character of Birregurra is considerable. It is likely that the recommendations of the Neighbourhood Character Study may encourage the retention of vegetation and the planting of new vegetation on development sites. However, the removal of vegetation can only be effectively regulated if an overlay control, such as a Vegetation Protection Overlay (VPO) or Significant Landscape Overlay (SLO), is applied to the town.

The Great Ocean Road Region Landscape Assessment Study in 2003 did not recommend the application of such overlays to Birregurra, but was part of a broader region wide analysis of state significant landscapes. It should also be noted the VPO and SLO can be worded to include exemptions for vegetation removal so that not every tree requires a planning permit for removal.

2.4 streetscape elements

Neighbourhood character is the combination of not just buildings and vegetation on private land, but also the appearance of the streets (the public realm). The elements that make up the public realm play an important role in defining existing character precincts. These include street layout, widths, street trees, road surface, footpaths, drainage, signage etc, amongst other things.

The Neighbourhood Character Study will assess what improvements can be made, or what elements should be preserved, within the public realm of the township. These elements are generally not controlled by the Planning Scheme but are Council's responsibility. The study is also likely to make recommendations for public realm character elements that are preferred, should any new subdivision occur that requires the provision of new road infrastructure.

2.5 township entries

The three highway entries in Birregurra play an important role in determining the character of the town, as they provide a first impression of the township upon arrival. A visual assessment of each entry is contained from Pages 31 to 39 of this report.

The northern town entry (Birregurra Road) is characterised by the approach to the timber mill and station, with the residential edge of town beginning to the south of the railway line. Land on either side of the road, to the south of the railway, is relatively visually contained by existing plantings on private properties.

The western town entry (Warncoort-Birregurra Road) is characterised by open farmland that is visually exposed, to the south side of the road and at a lower level. The north side comprises farmland and a bed and breakfast (screened by roadside vegetation) and has a higher level of visual containment than land to the south due to existing tree plantings and topography.

The eastern town entry (Birregurra-Deans Marsh Road) is characterised by open farmland with exposed vistas towards the elevated southern end of town and the heavily vegetated Barwon River. The eastern entry is floodprone and the edge of town is well defined by the Barwon River.



In the event any new subdivision may occur in the future, it needs to be integrated and should respect the township entries. The visibility of land along the approaches to the town is one matter than needs to be taken into consideration in making decisions about the possible future expansion of the town, and the form in which any such expansion might occur (i.e. setback of buildings / lots from the highway, street tree planting, balance between built form and landscaping, road pattern, lot size and intensity of development etc).

3 existing character

3.1 consultation

The consultation carried out as part of preparing this report is important to the study process, given it informs the scope of the study and enables the early integration of local knowledge into the overall process of the study. A workshop was held with members of the community, which attempted to map out existing character precincts and investigate preferred character precincts. Those who attended were asked to identify character elements that differentiate certain areas of the town from others, and to consider whether the character of those areas should be maintained in the future, or have the flexibility to evolve.

The workshop was run as an open discussion forum, introducing the project and providing information regarding the overall scope and aims of the study. The workshop sessions also sought to provide the consultant team with a detailed appreciation of how the community view the character of Birregurra, and what aspects of residential character are valued.

What was said?

The majority of those who attended the workshop identified that there are areas of the town that are different to others, whilst also emphasised there is an underlying character that defines the whole of Birregurra. Main Street was the most easily identified and valued part of the town due to its central focus and heritage quality that reflects the traditional side of Birregurra.

The other areas of Birregurra which stood out as individual 'precincts' included the low density 'semi-rural' living area to the south of Bowden Street, and the more informal hilly area to the south of town. People had more difficulty identifying a distinction between the two areas to the north and south of Main Street. However, most attendees acknowledged that the flat topography and the slightly smaller lot sizes and the range of dwelling styles of the northern area, were elements that helped differentiate it from the area south of Main Street.

In terms of Future / Preferred Character Areas, the majority of attendees drafted up very similar areas to those described above. It was thought that perhaps the concentration of churches to the eastern side of town could necessitate a separate precinct, although could just as easily be integrated into a broader precinct south of Main Street. There was also some attention given to township entries and how they might be included within Character Areas, although this issue was never really resolved. The possibility of multi-dwelling development and a greater housing choice was also discussed, and was thought to be best located within reasonable walking distance to the town centre. Overall, those who attended



generally agreed that the 'Existing' Character Areas provide a sound basis for 'Preferred' Character Areas, whilst undergoing sensitive evolution over time.

3.2 fieldwork

The fieldwork component of the study involved a combination of driving and walking through the township along each street and using data sheets to identifying similar characteristics that might define a precinct, as follows:

- Topography;
- Road pattern, width and edge treatment;
- Lot sizes;
- Building era, siting, scale, form and condition;
- Fence treatment; and
- Landscape elements, including both private and public realm.

The data sheets, along with general observations and photographic documentation, provided the necessary information to determine boundaries of Existing Character Areas. A blank copy of the fieldwork data collection sheet is included in Appendix 1.

3.3 existing character sheets

Following on from the fieldwork and workshops a total of 5 Existing Character Areas were identified and have been described in detail. These areas are shown in Figure 2 on Page 8, with corresponding character sheets on the following pages.

Broadly these Character Areas were identified through a combination of utilising logical geographic boundaries and establishing similar character elements outlined above. These included varying combinations of the following elements: changes in road pattern and treatment, building era and styles, or lot sizes. The workshop session held with the community (refer to previous page for summary) also provided valuable information to help determine what character elements and features provide a distinction between different areas of town.

The Existing Character Area map (Figure 7) includes delineation of non-residential uses such as industrial development, the school and open space network. There are a number of activities within Existing Character Areas that do not include Township zoned land that is used for residential purposes. These include:

- The railway station and its associated Public Use Zone – Schedule 4;
- The industrial use (timber mill) to the northern town entry and its associated Industrial 1 Zone;
- Public Park and Recreation Zone, comprising:
 - The golf course; and
 - The sporting fields, including oval, tennis courts and clubhouse



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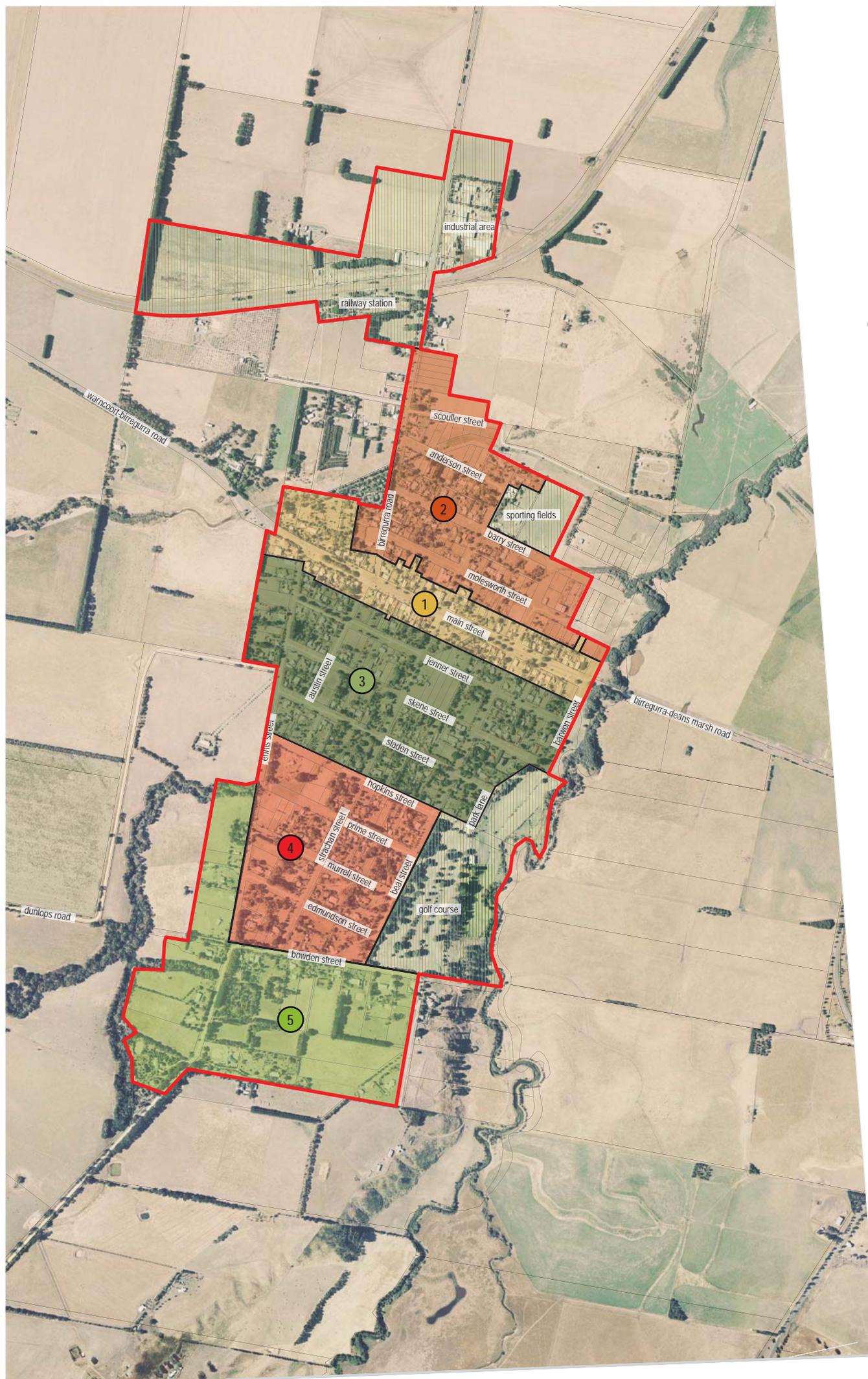
The railway station and industrial development to the north of Birregurra form part of what is a non-residential area in its own right (refer to the *Issues Analysis Paper* for zoning maps). Furthermore, the golf course and sporting fields could be considered a part of the residential area(s) they adjoin, but have not been included due to the zoning of the land restricting any form of residential in the future.

birregurra neighbourhood character study

figure 2 - existing
character areas

legend

- existing township boundary 
- non-residential zoned land 
- main street precinct 
- north of main precinct 
- south of main precinct 
- southern rise precinct 
- semi-rural precinct 



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existing character area 1: main street



character statement	
<p>Main Street is the central hub of Birregurra, being the focus of commercial and social activities and the intersecting road for traffic passing through town. The area is divided into a central commercial strip between Austin Street and Strachan Street, with residential development to both ends of the street. The streetscape setting, defined by the road width and multiple carriageways, plays an important role in the character of the area. Also vital is the heritage quality of buildings associated with the era of construction, single storey scale, use of traditional materials and predominance of verandahs. Buildings are positioned closer to the street and have higher site coverage.</p>	
detailed description	
description of bounding roads	Generally the properties fronting onto Main Street between the eastern and western edges of the Township Zone boundaries. The precinct takes into account the Heritage Overlay to some of the properties that extend through to Molesworth Street and Jenner Street.
topography	Generally flat
road treatment & pattern	Sealed surface with a 40 metre road reserve. There is angled parking to the southern side and parallel parking on the northern side, with a median strip and additional service lane for the section between Birregurra Road and Strachan Street.
lot sizes	Lot sizes are less than 1,000 sqm, with some even smaller to the commercial section between Birregurra Road and Strachan Street. To the east and west ends the lot sizes are slightly larger with an average of approximately 1,500 sqm.
building types/ quality/ siting	Pre 1930's shops with verandahs, built to the street edge. A mix of materials including weatherboard, bluestone, sandstone etc. There is a variation of housing styles, but dwellings are typically single storey weatherboard with colourbond roofing and with front verandah/porch elements. Dwellings are built to the boundary or setback between 3-5 metres.
landscaping: public/private realm	The public landscaping includes established street trees, with heritage protected avenue of Stone Pine trees at the western end. The landscaping on private property is prevalent at both ends but lacking to the commercial strip due to the high site coverage.
fence treatment	Generally low-medium height fence and permeable, with post/wire being the most common and picket fencing also prevalent.
noted anomalies	The large allotments at 70-90 Main Street at the western town entry, which appear to be more semi-rural in nature but are part of the Township Zone and have not been subdivided yet.



existing character area 2: north of main



character statement	
<p>To the north of Main Street the subdivision pattern changes, with a higher concentration of smaller allotments compared with the remainder of town. Streets maintain their width but are more formal in treatment and sparsely populated with street trees. There is a larger mix of housing types, with a greater number of post-war dwellings that are generally modest in height and footprint. Buildings appear closer to the street and with less spacing from side boundaries. Fencing also plays a lesser role in the area, with a generally open streetscape presentation and higher side fences.</p>	
detailed description	
description of bounding roads	Bounded by Birregurra Road/ Roadknight Street to the west (including 50-60 Roadknight Street to the west side), and between the northern and eastern township boundaries to the north of properties fronting Main Street.
topography	Flat
road treatment & pattern	Grid pattern, with a combination of sealed and unsealed roads. Some roads e.g. Barry Street have a kerb and channel, whilst others e.g. Anderson Street have swale drain. The road reserve is consistently wide with grassed verges.
lot sizes	Smaller size in comparison to other areas of the town, with a higher predominance of lots in the order of 1,000m ² (particularly to north side of Barry Street).
building types/ quality/ siting	A greater mix of housing types from the post-war era and some earlier construction to the northern half of the precinct. Dwellings are single storey or well recessed double storey, and have a lesser setback of between 3-5 metres from the front boundary. There is also a greater predominance of brick veneer dwellings, in contrast to the traditional weatherboard dwellings that are customary throughout the town.
landscaping: public/ private realm	There is an absence of public realm landscaping. The northern half of the precinct has a higher landscape canopy compared with the southern half closer to Main Street, where low scale shrubs and solitary trees contribute to the vegetated character on private land.
fence treatment	Many properties have no front fence and mix of high and medium side fences, either timber paling or post and wire. There are scattered examples of higher front fences to the street.
noted anomalies	Industrial development on Molesworth Street in the Township Zone.



existing character area 3: south of main



character statement	
<p>The area to the south of Main Street has a distinctly different character to the northern side of town. The streets are more informal and the lot sizes are generally slightly larger, which results in a more traditional rural township feel. The area includes the numerous church buildings to the eastern side of town, which could potentially form its own precinct but is integrated within the surrounding area. The vegetation cover noticeably contributes to the character of the area, along with a greater separation between buildings compared to the northern side of town.</p>	
detailed description	
description of bounding roads	Bounded by the western and eastern township boundaries, generally between the south of properties fronting Main Street and north of Hopkins Street.
topography	Gently undulating
road treatment & pattern	Grid pattern, with north-south roads (Beal Street and Strachan Street) generally a sealed surface and east-west roads unsealed surface. Some roads (Jenner Street and Sladen Street) have a central median planting strip, whilst most have swale drains and wide verges.
lot sizes	Typically an average of just below 2,000m ² , but with some evidence of subdivision that has created lots in the order of 1,000m ² .
building types/ quality/ siting	A greater number of housing styles from the 1930's and pre-war era, with some post-war and contemporary examples scattered throughout. Dwellings are almost consistently single storey and are mostly constructed of weatherboard and colourbond materials. The contemporary dwellings incorporate brick and in some cases, rendered surfaces. Dwellings are well setback from the street generally between 3-5 metres minimum (up to 8+ metres) with consistent side setbacks and large rear yards.
landscaping: public/ private realm	The landscape presence in the public realm is concentrated to certain streets (Jenner, Beal, Strachan and Sladen) and non-existent in other streets. The vegetation cover on private land plays an important role in establishing the neighbourhood character of the area, with planting to the front and rear of dwellings and occasionally to the side where there is sufficient space.
fence treatment	A combination of low or non-existent front fences, often post & wire or picket. Side fences are higher and have a variety of materials.
noted anomalies	Church buildings, primary school and playground/park all within the Township Zone



existing character area 4: southern rise



character statement	
<p>The southern rise area is characterised by an undulating landscape rising towards Bowden Street at the southern end town. The roads that run perpendicular to the slope have high and low sides, which lead to houses that are set into the landscape and which are slightly elevated. The area is similar in character to the 'south of main' area, but with some larger allotments on the hill and several unmade/incomplete roads. There is more sporadic development and a sense of informality to the area, partly due to the greater distance from Main Street. The hilly landscape provides the opportunity for panoramic views across the distant farmland and hills to the north, east and west.</p>	
detailed description	
description of bounding roads	Bounded by Hopkins Street to the north, Ennis Street to the west, Beal Street (and the golf course) to the east and Bowden Street to the south.
topography	Undulating landscape
road treatment & pattern	Predominance of unsealed/informal or incomplete roads. Strachan Street is the only sealed road, whilst Beal Street is unsealed for the hilly section up to Bowden Street. All roads have wide verges and swale drains, with no kerb and channel treatments.
lot sizes	An average lot size in the order of 2,000m ² with some larger allotments between 5,000 and 10,000m ² that are yet to be subdivided.
building types/ quality/ siting	Housing styles are generally from the early 20 th Century or more recently from the post-war era or 1980's and beyond. Materials are predominantly weatherboard and colourbond roofing, with fewer brick dwellings. Dwellings are well setback from the street, generally exceeding 10m and also with substantial side setbacks, possibly with the exception of Prime Street. There are some double storey dwellings to take advantage of the views available, but with the first floor incorporated into the roof or well recessed from the ground floor.
landscaping: public/ private realm	The landscape cover on the hill is an important character feature. Some private properties, including vacant larger allotments, have a dense tree canopy. The planting in the public realm is concentrated to areas where the road is incomplete i.e. Edmundson Street and is generally to one side of the road only.
fence treatment	Front fencing is generally low and permeable, with post & wire the most common type. There is occasional higher side fencing of varying styles.
noted anomalies	Prime Street between Strachan Street and Beal Street has a more compact built form that compares with the precincts to the north.



existing character area 5: semi-rural



character statement	
<p>This area, being within the Low Density Residential Zone (LDRZ), is semi-rural in nature and provides a transition from the farmland properties south of Birregurra to the Township Zone. The area is characterised by larger lots occupied by a single dwelling, or which are currently vacant. Whilst the lot sizes are larger, this does not necessarily mean that dwellings are far from the street, particularly along Bowden Street. The informal road treatments and wind row planting also contribute to the semi-rural feel of the area.</p>	
detailed description	
description of bounding roads	Bound by Bowden Street and Ennis Street on its northern side and partly along Birregurra-Yeodene Road to the south. The area is fully within the Low Density Residential Zone.
topography	Flat to Bowden Street at the ridge, whilst undulating along Ennis Street and to the south.
road treatment & pattern	Unsealed roads with wide grassed verges and swale drains. Ennis Street does not connect through to Bowden Street at the southern end.
lot sizes	The lot sizes range from a minimum of 4,000m ² (required by the LDRZ) to a maximum of between 1.5 – 2 hectares, which is consistent with the semi-rural nature.
building types/ quality/ siting	Single storey dwellings, many of which are 'old style' but with some more contemporary from the post 1980's era. Dwellings are well setback from the street in the order of 10m+, although not a significant amount given the expanse of space to the rear and sides of dwellings due to the large lot sizes.
landscaping: public/ private realm	There is little landscaping within the public realm, with almost no street trees. Along Birregurra-Yeodene Road the private landscaping is quite dense, whilst the landscape is more open along Lumeah Street. Wind row planting is a feature of the area.
fence treatment	Open fence treatment with some post and wire fencing along the side boundaries to define the edge of the large properties.
noted anomalies	9 Bowden Street on the corner to Lumeah Street, which has been subdivided in the past to just over 1,000 sqm and contains a house located right next to the street.



4 preferred character areas

The five Existing Character Areas were nominated through the workshops, fieldwork investigation and desktop analysis process. Effectively those precincts were identified to assist with understanding existing residential character within Birregurra. The character sheets on the preceding pages provide a summary of the various character elements for each area, and how these might differentiate the area from other areas of town.

The Preferred Character Areas are intended to provide the statutory framework for how the area should develop over time as new buildings and/or subdivision is proposed. This will be achieved by a series of objectives and design guidelines, which will be incorporated into the planning scheme by a number of possible forms of implementation (refer to Chapter 7).

As with the Existing Character Areas, there are also five Preferred Character Areas (refer to Figure 3 on page 17). The boundaries for the Preferred Character Areas are similar in almost all circumstances to the Existing Character Areas, mostly for the reason that the existing character of Birregurra has remained relatively stable over the years and should be preserved into the future, whilst also allowing a gradual evolution of change. It was also determined that each area requires different design guidelines to achieve a desired outcome, which to implement into the planning scheme requires a distinction and boundary between areas.

4.1 rationale behind the different areas

The Existing Character Areas known as 'southern rise' and 'semi-rural' have been wholly maintained as Preferred Character Areas 'D' and 'E' respectively. There is a clear distinction between these two areas and the remainder of town, generally due to a number of factors including: distance from the town centre, undulating topography, informal semi-rural impression, landscape cover and larger lot sizes. These factors are the reason behind limiting any multi-dwelling development proposals in these areas, with subdivision of land to allow for individually sited dwellings (i.e. detached dwellings) on an allotment with street frontage.

On the other hand, Preferred Character Areas 'A', 'B' and 'C' have not maintained the same boundaries as the corresponding Existing Character Areas. The fundamental difference is to Preferred Character Area 'C', which does not border the south edge of Main Street along its length, but extends to the north at the western extremity and takes the east side of Birregurra Road up to the northern township boundary.

The rationale behind this is that the township entries require a specific response as they are some of the most visible areas of the town and provide the first impression to visitors. Refer to the photograph on the following page, which shows the approach towards Main Street from the north. Preferred Character Area 'B' contains some of the least restrictive controls (i.e. minimum lot size, setbacks) and if these were applied to the properties fronting Birregurra Road in particular, there is greater likelihood of visual impact from new inappropriate development on the northern entry into town.



The approach to Main Street along Birregurra Road from the north

Similarly for the western town entry from Warncoort-Birregurra Road, the more 'development intensive' design guidelines for Preferred Character Area 'A' are not suitable to apply to the five or so larger properties that will undergo subdivision and redevelopment at some point in time. Hence, Preferred Character Area 'C', with its more sensitive design guidelines, is a better fit for these areas.

The Preferred Character Area 'A' to Main Street has been designed to provide guidelines for commercial buildings to the strip, roughly between Austin and Strachan Street. This was required as the existing commercial buildings (many of them heritage listed) are in most occasions built directly to the street edge and have a high site coverage.

Main Street is interesting as it provides the opportunity for not just commercial development but also new housing, particular to the eastern and western ends. Therefore the eastern and western ends to Main Street are defined as 'transitional precincts' that are likely to not accommodate commercial buildings (in the immediate future). The Township Zone that currently applies to the land allows for non-residential development, which would need to be considered on an individual basis by Council. Rather, the 'transitional precincts' are more suited to detached dwellings and multi-dwelling development, which is reflected in the design guidelines, with greater setbacks and lower site coverage compared to the commercial buildings.

It should be noted that there are a number of general requirements that apply to all Preferred Character Areas that are included at the end of this chapter of the report (see Section 4.7).

birregurra neighbourhood character study

figure 3 - preferred
character areas

legend

- existing township boundary 
- non-residential zoned land 
- preferred character area A 
- preferred character area B 
- preferred character area C 
- preferred character area D 
- preferred character area E 



Project Ref: 11.199
 Dwg No.: UDD-12
 Scale: 1:500@A1
 Date: 23.11.11
 Revision: A



	Character Area A		Character Area B		Character Area C		Character Area D
	Single dwelling, multi-dwelling development etc	Commercial buildings	Single dwelling, outbuildings etc	Multi-dwelling development	Single dwelling, outbuildings etc	Multi-dwelling development	Single dwelling, outbuildings etc
Street setback	Standard A3/B6 or 3m, whichever the greater	0m	Standard A3 or 6m, whichever the greater	Standard B6 or 6m, whichever the greater	Standard A3 or 9m, whichever the greater	Standard B6 or 9m, whichever is the greater	Standard A3 or 9m, whichever the greater
Side setbacks	1.5m (garages to boundary permitted)	0m	1.5m (garages to boundary permitted)	1.5m (garages to boundary permitted)	3m (can be reduced to 1.5m one side only)	2m (can be reduced to 1.5m to one side only)	3m
Rear boundary setback (min.)	15m (varied to 5m for multi-dwellings)	2m (refer to report for note)	10m	5m (also to internal boundaries)	15m	5m	15m
Site coverage (max.)	30% (varied to 40% for multi-dwellings)	80%	40%	50%	30%	40%	30%
Permeability (min.)	50% (varied to 40% for multi-dwellings)	10%	40%	30%	50%	40%	50%
Building height (max.)	5.5m (single storey)	5.5m (single storey)	7.5m	7.5m	7.5	7.5m	7.5m
Front fencing	Max. 1.2m high and visually permeable	Max. 1.2m high and visually permeable	Max. 1.2m high and visually permeable	Max. 1.2m high and visually permeable	Max. 1.2m high and visually permeable	Max. 1.2m high and visually permeable	Discourage front fencing
Side / rear fencing	Max. 1.8m high with tapered side fence	If any, maximum 1.8m high	Max. 1.8m high with tapered side fence	Maximum 1.8m high	Max. 1.8m high with tapered side fence	Maximum 1.8m high	Max. 1.8m high (fencing forward of dwelling must be permeable)
Minimum lot size	1,000m ² (varied to 500m ² for multi-dwellings)	500m ² (discretionary)	700m ²	500m ² (refer to report for note)	1,000m ²	600m ² (refer to report for note)	1,000m ²



4.2 preferred character area a

This area reflects the strong heritage quality of buildings along Main Street and corresponds with the Heritage Overlay that applies to the full length of Main Street. The north and south boundary of the Character Area splits the blocks in half between Jenner Street and Molesworth Street so that the adjoining Preferred Character Areas 'B' and 'C' take in dwellings that might front these streets. The existing 'commercial core' is roughly located between Austin Street and Strachan Street and as the town grows new commercial buildings will need to adhere to individualised design guidelines that reflect the existing context. It is considered that commercial buildings should be restricted to this area, unless a need to expand the commercial core of Birregurra is identified as part of the subsequent Structure Plan Review. There is merit in limiting the spread of purpose built commercial buildings outside the 'commercial core' given the historic residential nature of the western and in particular the eastern ends of Main Street. This will encourage the adaptive re-use of heritage buildings in this area for future commercial uses.



New dwellings will generally be located to either end of Main Street away from the commercial core, but can also be considered on a site-by-site basis. The design guidelines for single dwellings requires a larger minimum lot size of 1,000m² to allow for an appropriately sited dwellings on each lot. In limited circumstances, multi dwelling development may be considered on lots 50m in depth, only where the existing dwelling fronting Main Street is retained and a new dwelling is concealed to the rear (refer to layout diagrams on following page). As the boundary of Preferred Character Area 'A' splits the properties with frontage to Molesworth Street and Jenner Street, any development of the entire property would need to consider the design guidelines of the adjoining character area for that portion of the site. The ability to gain access from Molesworth Street and Jenner Street will allow for this to occur.

This study recommends that Council investigates the various options available to provide rear access to commercial premises fronting Main Street, which will become increasingly important as the town develops. Presently, some commercial premises rely on informal access from Jenner Street through adjoining properties. Should these properties be developed in the future, the possibility of vehicles requiring through access will negatively impact these properties. From an urban design and planning perspective it is recommended that Council undertake a consultative process with landowners to determine the most appropriate form of access. The various options available include:

1. Applying a Public Acquisition Overlay (PAO) via a planning scheme amendment to the rear of commercial premises for the purpose of establishing a future laneway (however noted that property ownership and existing structures may limit this from occurring);
2. Require new development to be setback at the rear so that over time as permit applications are considered a carriageway easement can be established; and
3. Maintain through access from Jenner Street and Molesworth Street, whilst managing the problems this creates with common property and amenity issues on new development fronting these streets.



Objectives

- To retain and conserve all significant and contributory heritage places.
- To ensure new development responds to the implications of the Heritage Overlay and provides a sympathetic design response with single storey building heights.
- To confine new commercial buildings to Main Street between Austin and Strachan Streets.
- To ensure new buildings and/or alterations and additions between Austin and Strachan Streets employs a contextual design approach that integrates with surrounding buildings.
- To encourage the retention of trees where possible and the planting of new canopy trees and understorey vegetation to the front, side and rear of dwellings (excluding the commercial core).
- To encourage new development, in particular use of materials, that responds to the historic character of building stock.
- To encourage residential development to be directed to either end of Main Street, and is respectful of the scale, form, siting and setbacks of nearby buildings.
- Multi dwelling development can only be considered where the existing dwelling fronting Main Street is retained and a new dwelling is concealed to the rear (except vacant lots).
- Any non-residential development in the future outside the commercial core (e.g. service station, supermarket etc.) must also demonstrate a sympathetic design response to the heritage quality of the streetscape.

Design guidelines

	Single dwellings, outbuildings, multi dwelling development etc.	Commercial buildings
Street setback (min.)	Standard A3 / B6 or 3m, whichever is the greater	Zero setback
Side setbacks (min.)	1.5m (garages to boundary permitted)	Zero setback
Rear boundary setback (min.)	15m (varied to 5m for multi dwelling development)	2m*
Site coverage (max.)	30% (varied to 40% for multi dwelling development)	80%
Permeability (min.)	50% (varied to 40% for multi dwelling development)	10%
Building height (max.)	5.5m (single storey)	5.5m (single storey)
Front fencing	Maximum 1.2m high and visually permeable	Where a building is setback from the street fencing should be low (max. 1.2m) and visually permeable
Side/rear fencing	Maximum 1.8m high with a tapered side fence towards the street	If any, maximum 1.8m high
Minimum lot size	1,000m ² (varied to 500m ² for multi dwelling development)	500m ² (discretionary)**

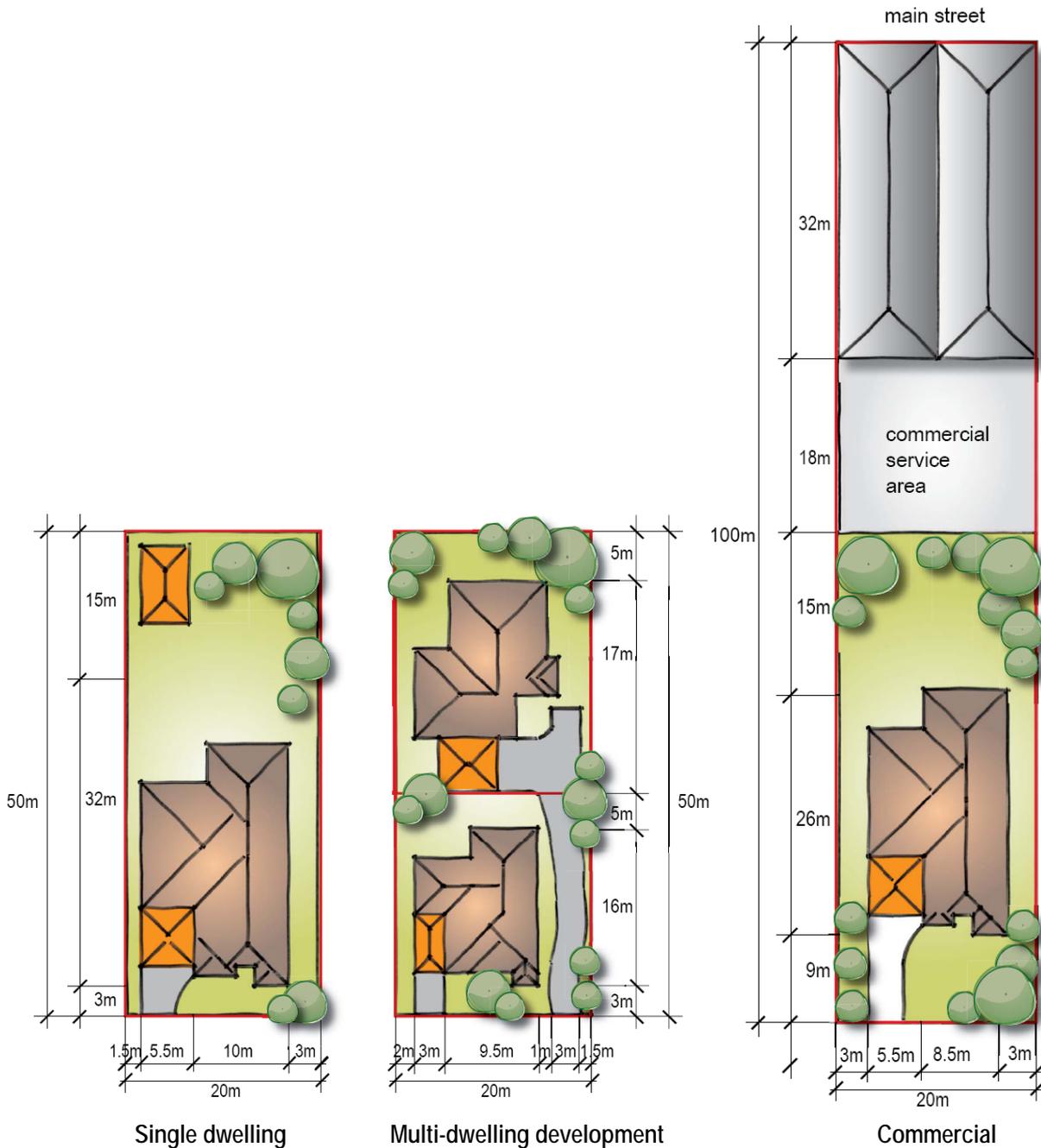
* commercial buildings fronting Main Street may provide a residential component fronting the street to the rear, with design guidelines corresponding from the adjoining precinct for that portion of the site.

** the discretionary control allows for smaller lot subdivision in circumstances where it is not possible to meet the requirement, or if appropriate justification can be provided to vary the requirement.



Possible site layout diagrams

The diagrams on the following page are intended to demonstrate that it is possible to construct a new dwelling, multi-dwelling development or commercial building according to the minimum specifications of the design guidelines. This does not preclude development from exceeding the minimum requirements.





4.3 preferred character area b

This area will gradually evolve into a mixed character, with a range of housing styles and moderately smaller lot sizes compared to other areas. Existing buildings are sited closer to property boundaries and have a higher site coverage, which has been reflected in the design guidelines below. A minimum 6m street setback (whilst also allowing for greater setbacks if Standard A3 requires so) will provide sufficient space for landscaping whilst also promoting increased housing density and space at the rear for suitably dimensions rear yards.



A minimum lot size of 700m² is sought for subdivision of land for the purpose of single dwellings. This allows for subdivision of land to the south of Scouller Street that could not be subdivided if a 1,000m² lot size was enforced. The 700m² minimum lot size also prevents subdivision of a 2,000m² property into more than 2 lots, without a concurrent multi-dwelling proposal.

A minimum lot size of 500m² is sought for multi-dwelling development as this could potentially allow up to 4 dwellings on a standard lot of approximately 2,000m². However, the size of dwellings would need to be reduced to 1 or 2 bed units with single garages in order for this arrangement to succeed (refer to layout diagrams on following page). Narrow lots with double street frontages from north to south are prime opportunities for smaller lot multi-dwelling development. However, gun barrel driveways connected to both street frontages should be avoided by orientating the 'rear' dwelling to front the other street and have access to a separate driveway that terminates at its garage.

Objectives

- To encourage sensitively designed and site responsive medium density residential development within walking distance of Main Street i.e. 400 metres.
- To encourage the retention of trees where possible and the planting of new canopy trees and understorey vegetation to the front, side and rear of dwellings.
- To require the first floor of double storey dwellings to be recessed from the ground floor on all sides, or incorporated into the roofspace where possible.
- To promote a greater freedom in material use, whilst also encouraging the use of lightweight materials such as timber cladding.
- To encourage a more open streetscape presentation with mid-rise canopy trees interspersed with low-rise shrubs and ground cover.
- To discourage multi-dwelling development on corner allotments, many of which are not of suitable dimension to accommodate multiple dwellings whilst also providing appropriate setbacks and driveway areas.
- To discourage 'gun barrel' straight driveways and reduce driveway length to increase the permeable areas available for landscaping.



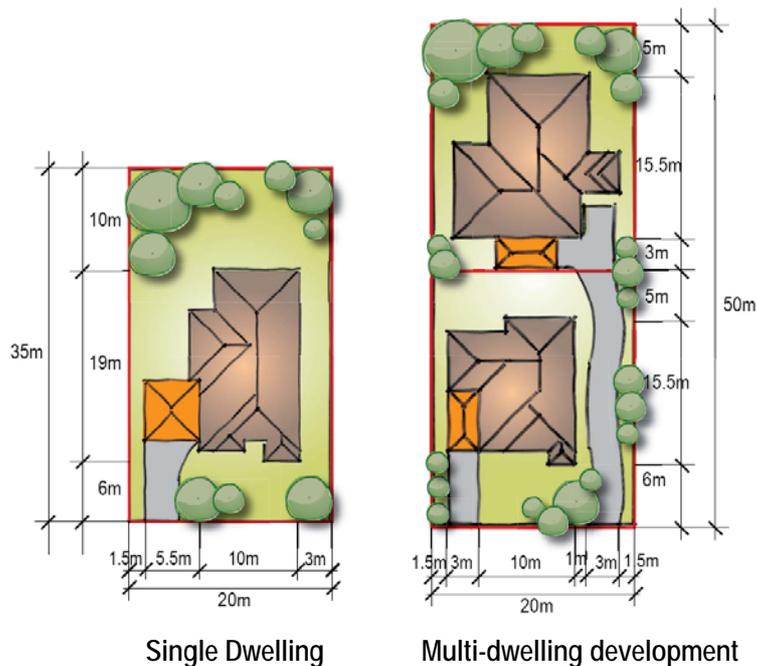
Design guidelines

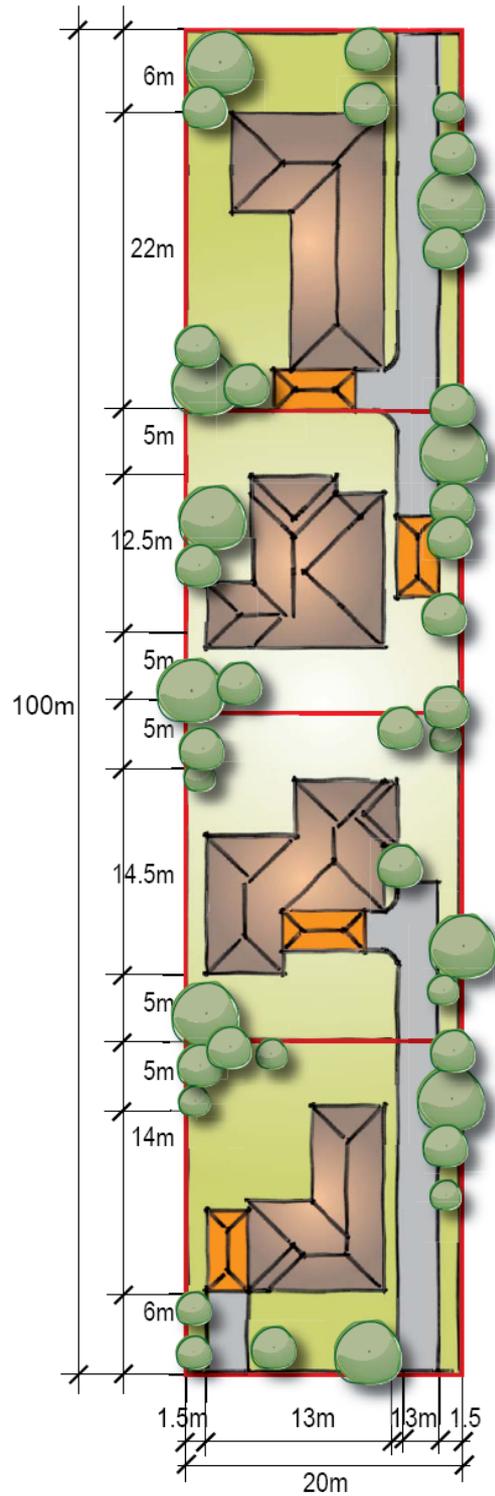
	Single dwellings, outbuildings etc.	Multi-dwelling development
Street setback	Standard A3 or 6m, whichever is the greater.	Standard B6 or 6m, whichever is the greater.
Side setbacks	1.5m (garages to boundary permitted)	1.5m (garages to boundary permitted)
Rear boundary setback (min.)	10m	5m (also to internal boundaries)
Site coverage (max.)	40%	50%
Permeability (min.)	40%	30%
Building height (max.)	7.5m	7.5m
Front fencing	1.2m visually permeable	1.2m visually permeable
Side/rear fencing	Maximum 1.8m high with a tapered side fence towards the street	Maximum 1.8m high
Minimum lot size	700m ²	500m ² *

* this lot size is only applicable where a concurrent development application for multiple dwellings is being sought. This does not include common areas, such as driveways.

Possible site layout diagrams

The following diagrams are intended to demonstrate that it is possible to construct a new dwelling or multi-dwelling development according to the minimum specifications of the design guidelines. This does not preclude development from exceeding the minimum requirements.





Multi-dwelling development



4.4 preferred character area c

This area will retain its more traditional township character through greater setbacks from property boundaries, lower site coverage and resulting increase in area for landscaping opportunities. The minimum lot size for a detached dwelling of 1,000m² will allow many of the 2,000m² lots to be subdivided in two, with a lot fronting each street. A minimum front setback of 9m provides the opportunity for planting of canopy trees, and due to the approximate lot depth of 50m, should provide sufficient space at the rear for a sizeable area of private open space and additional landscaping.



Multi-dwelling development is encouraged closer to the Main Street area, particularly on 'full length' lots that have a 100m depth between parallel streets. A minimum lot size of 600m² for multi-dwelling development will allow 3 dwellings per 2,000m² property, but does not allow multi dwelling development on lots smaller than 1,000m². Rather than provide a driveway that runs the length of the property connecting two streets, it is preferred that a longer driveway be located to the southern side (where possible) that provides access to 2 dwellings, whilst the remaining dwelling will front the other street and rely on its own driveway for access – refer to the relevant diagram on page 26 for an illustration of how this works.

The portion of the area that tracks the western township edge and follows Birregurra Road to the north requires greater consideration of the impact from new development, given the highly visible nature of the entries into town. The 9m front setback requirement and provision for landscaping within the front yard are critical elements that should minimise the visual bulk from dwellings. The modest scale and articulation of dwellings, with garages located behind the line of the front wall, are also important design techniques to limit the visual impact on the area.

Objectives

- To retain and conserve all significant and contributory heritage places.
- To ensure new development surrounding the church buildings respond to its context and incorporate design features that complement the heritage place.
- To facilitate some opportunity for infill development, whilst also acknowledging this will be an area of limited change.
- To encourage the retention of trees where possible and the planting of new canopy trees and understorey vegetation to the front, side and rear of dwellings.
- To encourage sensitively designed and site responsive medium density residential development within walking distance of Main Street i.e. 400 metres.
- To require the first floor of double storey dwellings to be recessed from the ground floor on all sides, or incorporated into the roofspace where possible.
- For multi-dwelling proposals, to promote single garages fronting the street, with a tandem car space if required, in order to reduce the amount of hard surfacing in the frontage to maximise landscaping opportunities.
- To encourage the use of robust but lightweight materials such as timber that will endure over time, whilst discouraging more urban materials such as cement render.



- To encourage dwellings to be setback sufficient distance from all boundaries to provide the opportunity for native canopy trees.

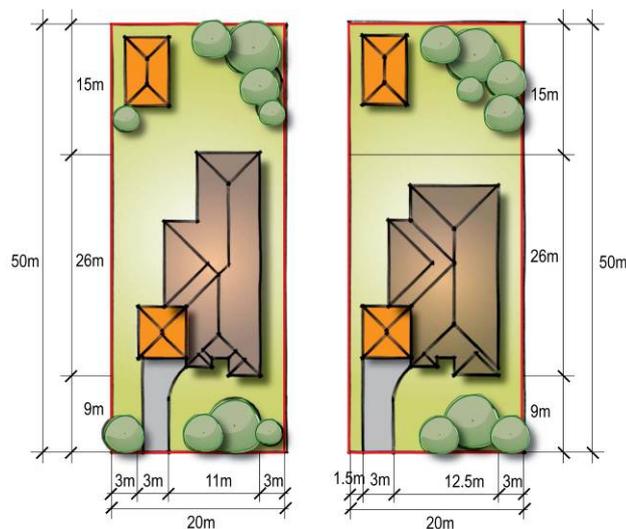
Design guidelines

	Single dwellings, outbuildings etc.	Multi-dwelling development
Street setback	Standard A3 or 9m, whichever is the greater	Standard B6 or 9m, whichever is the greater
Side setbacks	3m (can be reduced to 1.5m to one side only)	2m (can be reduced to 1.5m to one side only)
Rear boundary setback	15m	5m
Site coverage (max.)	30%	40%
Permeability (min.)	50%	40%
Building height (max.)	7.5m	7.5m
Front fencing	1.2m visually permeable	1.2m visually permeable
Side/rear fencing	Maximum 1.8m high with a tapered side fence towards the street	Maximum 1.8m high
Minimum lot size	1000m ²	600m ² *

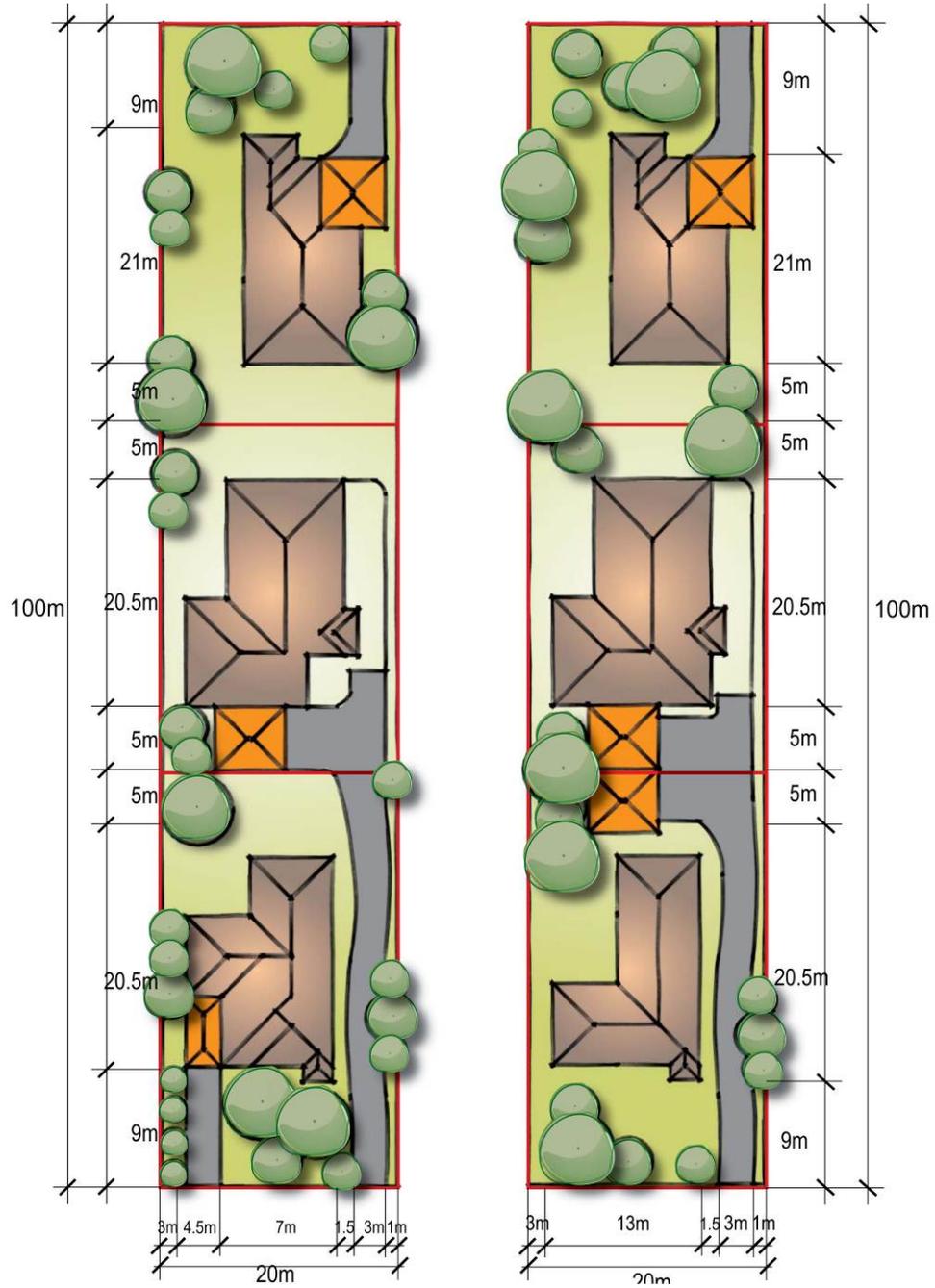
* This lot size is only applicable where a concurrent development application for multiple dwellings is being sought.

Possible site layout diagrams

The following diagrams are intended to demonstrate that it is possible to construct a new dwelling or multi-dwelling development according to the minimum specifications of the design guidelines. This does not preclude development from exceeding the minimum requirements where desired.



Single Dwelling



Multi-dwelling development



4.5 preferred character area d

This area will provide the transition from the semi-rural area south of Birregurra to the more traditional township area south of Main Street. Due to the greater distance from Main Street, undulating topography and potential for smaller lot subdivision that would impact the character of the area, any multi-dwelling development is explicitly discouraged. The infill opportunities will include redevelopment of existing properties and subdivision of larger allotments, with each new lot requiring a street frontage. A minimum 1,000m² lot size that allows for greater setbacks from property boundaries, lower site coverage and resulting increase in area for landscaping opportunities.



Objectives

- To encourage sensitively designed subdivisions that provide larger allotments of a minimum 1,000m², each of which must front a street.
- To encourage the retention of trees where possible and the planting of new canopy trees and understorey vegetation to the front, side and rear of dwellings.
- To discourage multi-dwelling development proposals. Rather, the subdivision of land will allow for individually sited dwellings (i.e. detached dwellings) on an allotment with street frontage.
- To require dwellings to address site slope with stepped building forms.
- To require the first floor of double storey dwellings to be recessed from the ground floor on all sides, or incorporated into the roofspace where possible.
- To encourage the use of robust but lightweight materials such as timber that will endure over time, whilst discouraging more urban materials such as cement render.
- To encourage dwellings to be setback sufficient distance from all boundaries to provide the opportunity for native canopy trees.

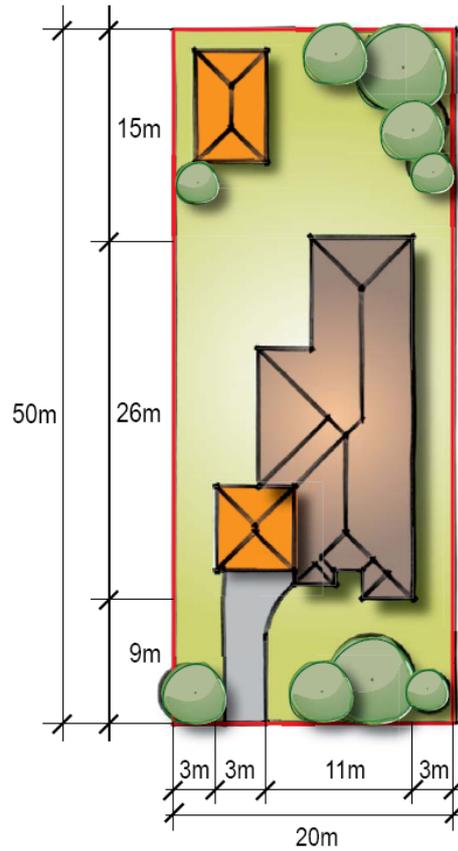
Design guidelines

	Single dwellings, outbuildings etc.
Street setback	Standard A3 or 9m, whichever is the greater
Side setbacks	3m
Rear boundary setback	15m
Site coverage (max.)	30%
Permeability (min.)	50%
Building height (max.)	7.5m
Front fencing	Discourage front fencing.
Side/rear fencing	Maximum 1.8m high. Side fencing forward of the dwelling should be visually permeable
Minimum lot size	1,000m ²



Possible site layout diagram

The following diagram is intended to demonstrate that it is possible to construct a new dwelling according to the minimum specifications of the design guidelines. This does not preclude development from exceeding the minimum requirements where desired.



Single dwelling



4.6 preferred character area e

As this area is entirely within the Low Density Residential Zone (LDRZ) it is not possible to subdivide less than 4,000m² and only one dwelling can be constructed per lot. The area can only be developed otherwise if a planning scheme amendment is passed through Colac Otway Shire Council and approved by the Department of Planning and Community Development. Due to the distance from Main Street and other services such as the railway station and sporting fields, it is not an area that should be included within the Township Zone in the short term.



Hence, it is not proposed to apply any measurable controls over future development. However, it is still prudent to provide some guidance in the event that a proposed development requires a planning permit. The overall emphasis is to ensure new dwellings are modest in scale and height and are well setback from all property boundaries. Some effort should be made to provide landscape screening, such as wind row planting along the property boundaries.

4.7 general requirements

The following guidelines apply across the whole township.

Lot dimensions

Lot width should be no less than 20m to the street frontage unless the existing lot width is less than 20m, to ensure that side setback requirements can be met. Where a property has two frontages perpendicular to each other, the minimum lot width should be applied to the primary address or the east-west aligned street, if no primary address has been established.

Landscaping

The role that landscaping plays in softening the impact of new development is of upmost importance, particularly to more sensitive character areas and where there is a strong tree canopy. Existing trees should be retained where possible and new trees planted to the front and rear of dwellings to establish a tree canopy. At least 2 native canopy trees should be planted per 500m² of development, which will reach a mature height in the order of at least 8m and a minimum crown of 3m (which varies depending on species etc.) unless otherwise agreed to by Council. Where space is available, side setbacks should also include landscaping to provide a consistent garden setting all the way through properties.

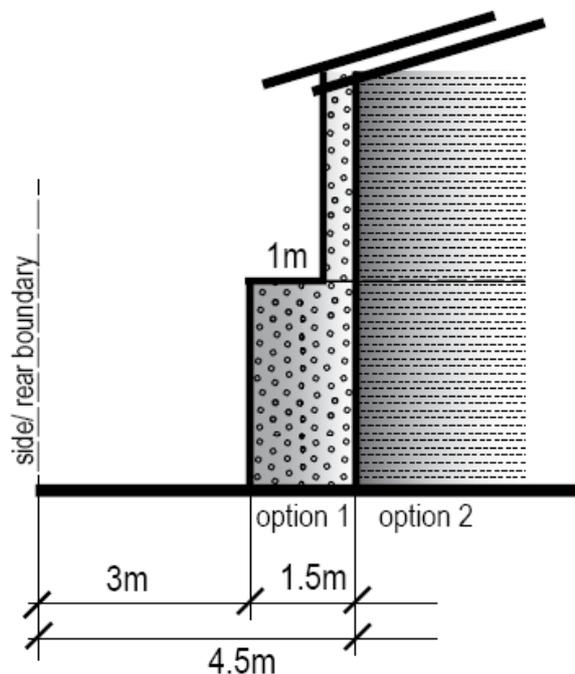
Double storey dwellings

Birregurra primarily contains single storey dwellings and this contributes to the existing character of the area. The only area of Birregurra in which double storey dwellings are specifically discouraged is within Preferred Character Area 'A' where the single storey character forms part of the heritage quality of Main Street that should be preserved. For the remainder of Birregurra the preferred outcome would be for single storey dwellings, or if a double storey dwelling was proposed, the second storey should be modest and be no greater than 50% of the ground floor area. Any double storey dwellings that do not meet this



requirement will trigger a planning permit. It is strongly encouraged to provide a recessive first floor element with a smaller building footprint than the ground floor. A mix of building styles and heights is also encouraged in multi-dwelling development. A double storey dwelling which triggers a planning permit must consider the following guidelines:

- **Option 1:** If the dwelling is setback up to 3m from the side/rear boundary the first floor must be recessed at least 1m from the ground floor wall.
- **Option 2:** If the first floor is recessed from the ground floor wall less than 1m (or a sheer double storey wall) then the setback of the dwelling from the side/rear boundary must be increased by 50% to a minimum setback of 4.5m from a side/rear boundary. (NB: a reduced boundary setback to a sheer two storey wall will not be supported).

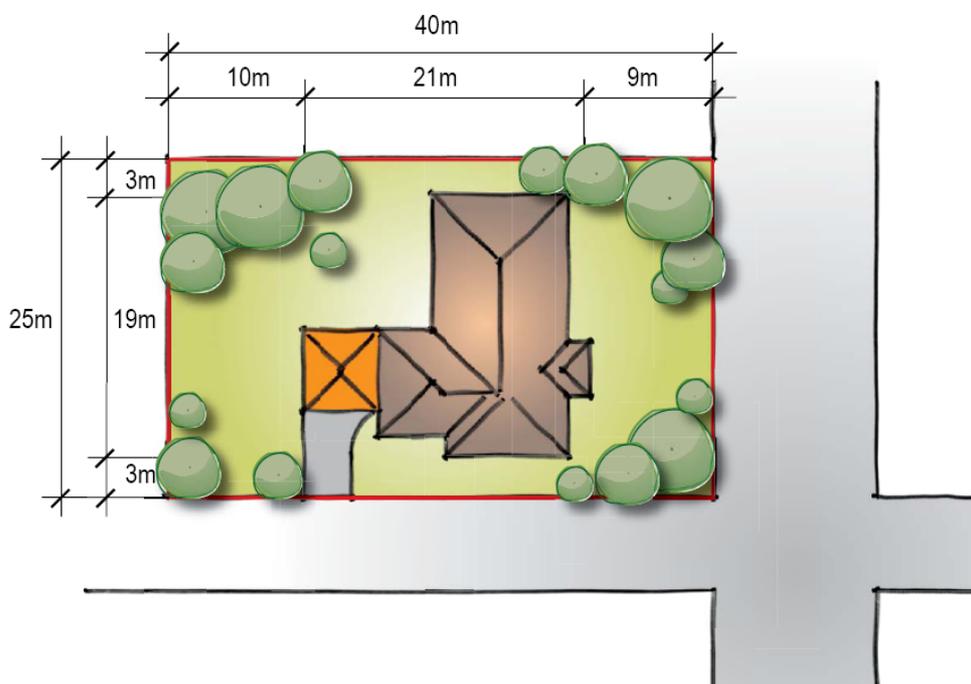


The rationale behind this is to limit the visual impact of a double storey dwelling through articulation in the building form. Where this cannot be achieved an additional setback is required to provide scope for canopy trees that screen the dwelling, in particular shade trees that have an environmental benefit. The section diagram on the right provides an illustration of how the above guidelines might be considered.

Corner sites

Development to corner sites may require a variation to some design guidelines due to the constraints posed by dual street frontage and lot width. Hence, the following principles and allowances apply for corner sites:

- Garages (of no more than 6m width) are allowable encroachments on the setbacks specified in the design guidelines, provided they do not exceed a height of 3.5m and are recessed behind the main building line.
- Low fence heights to the street frontages, with allowance for a fence height of 1.8m only when secluded private open space is provided to the side street.
- If multiple driveways are proposed (when developing more than one dwelling) only 1 should be provided to each street frontage, where possible.
- The dwelling setback from the side street should consider the setback of the adjoining dwelling and provide a transition to the new buildings.
- New planting should be provided to both street boundaries, not just the principal frontage.



Fencing materials

The design guidelines specify a maximum height for fencing of 1.8m but do not mention what materials should be used. The following principles relate to the type of fence that should be considered in certain circumstances:

- Encourage permeable front fences, with timber picket or post and wire the preferred options, whilst also discouraging paling fences.
- A paling fence can be permitted to side street frontages in limited extents where privacy is required to secluded private open space.
- Masonry fencing should be limited to plinth and retaining walls of no more than 500mm height.



5 greenfield subdivision

An important element of neighbourhood character for rural townships is the subdivision of land over time. One could argue that subdivision plays the most important role in the appearance of an area, as subdivision determines the street layout, lot size and pattern, which in turn influences the developable footprint. For Birregurra, this is demonstrated by the strong grid network of streets, with a consistent block width and length for much of the township. To date, the town has not been connected to a reticulated sewerage system, which means that properties have remained relatively large to accommodate on-site wastewater treatment systems.

The previous chapter dealt with smaller lot subdivision to 'brownfield' sites within the township boundary, by establishing minimum lot sizes to each 'Preferred Character Area'. This provides guidance for Council to assess vacant lot subdivision of larger sites within the township, or multi-dwelling development proposals that also subdivide the land. This compares with 'greenfield' subdivision, which is the subdivision of larger tracts of land formerly used for farming or non-residential purposes outside of the township.

The *Draft Birregurra Structure Plan* (which is currently on hold) identified the area to the north and south of Warncoort-Birregurra Road up to the Railway Station as an 'investigation area' for potential future expansion of the township boundary. The Draft Structure Plan, specifically the recommendation for township expansion, is due to be reviewed following the completion of the Neighbourhood Character Study. It is worth noting that currently greenfield subdivision is not possible, as the Farming Zone applies to all land outside of the township boundary and the land cannot be subdivided further. If any residential subdivision were to occur in the long term, the land owner(s) would need to go through a planning scheme amendment process to rezone the land to the Township Zone.

However, it is important to establish guidelines in the event that land is released outside the township boundary for future development. If there are no guidelines or controls, then a developer has greater scope to propose inappropriate subdivision that will permanently impact the character of the town.

5.1 guidelines for subdivision

The following guidelines provide an overall image of how greenfield subdivision should be considered, with further site specific analysis required at such time that a subdivision is proposed.

The general principle of greenfield subdivision in Birregurra should reflect the consistency in lot pattern and grid layout of the town, with generous spacing for landscaping. Council should undertake a working process with landowners to ensure that subdivision of multiple properties under different ownership can be carried out effectively.

- **Site responsive design:** The subdivision design response must derive from and respond to the site and context description, which must be provided with a subdivision permit application in accordance with Clause 56 of the Colac Otway Planning Scheme.
- **Street layout:** Continue the grid pattern from the existing township area with connecting east-west and north-south roads. Street blocks should be generally between 70 - 100 metres in depth x 200 metres in length to also reflect the grid layout of the existing township pattern.



- **Main roads – township entries:** Where abutting a main road or township entry, respond to the predominant character elements of that road / entry. These include:
 - The alignment and width of the existing road;
 - The pattern of landscaping / median, nature strips etc within the road reserve; and
 - The type of access to properties fronting the road.

Dwellings should be setback at least 9m from the front property boundary where fronting a main road / township entry to provide the opportunity for generous landscaping of front yards.

There should be sufficient space for vegetation to be planted within the road reserve, between the property boundary and the carriageway. Where there are existing service roads, these should be continued to provide access to the new properties fronting a main road.

- **Residential streets:** The typical width of 16m for an access street in the *Infrastructure Design Manual* and Clause 56 does not provide sufficient space for swale drains and a wide grass verge to respect the existing character of Birregurra, where road reserves are presently 30m and have an open, semi-rural feel. Hence, residential streets not on a main road or township entry should have a total width of at least 24m (similar to a collector street). This will include a 7.5m wide carriageway with the remaining reserve providing for swale drains, grass verge and footpaths to both sides, if required.
- **Lot size:**
 - For lots fronting a main road / township entry - must be at least 1,000m² to provide sufficient space to accommodate a dwelling with a front setback of at least 9m similar to Preferred Character Area 'C'.
 - For other lots - a mix of lot sizes with a minimum lot size of 700m² and an average of 900m². The minimum lot size of 700m² is representative of single dwelling development in Preferred Character Area 'B' of lots 35m in depth with 6m front setbacks.
- **Lot dimensions:** Minimum frontage width of 20m and depth of at least 35m.
- **Setbacks and design guidelines:**
 - For lots fronting a main road / township entry - The design guidelines set out in Character Area 'C'. This allows for a minimum 9m front setback, 3m side setback (with 1.5m encroachment to one side only), maximum 30% site coverage and minimum 50% permeability.
 - For other lots - The design guidelines set out in Character Area 'B'. This allows for a minimum 6m front setback, 1.5m side setback (garages permitted on side boundary), maximum 40% site coverage and minimum 40% permeability.
- **Road surface:** Sealed surface to new roads.
- **Drainage:** Encourage consistency in drainage treatments with priority given to water sensitive urban design treatments such as swale drains or rain gardens in the road reserve.
- **Vegetation retention / planting:** Retention of native trees greater than 12m in height or with a trunk circumference greater than 1.5 metres at a height of 1 metre above ground level. Planting of 1 new canopy tree per 200m² of site area.



6 public realm character issues

The Department of Planning and Community Development Practice Note on 'Using the Neighbourhood Character Provisions in Planning Schemes' defines neighbourhood character as:

"The combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small. It is the cumulative impact of all these contributions that establishes neighbourhood character."

Hence, it is important to also provide guidance to decision makers on the various elements of the public realm that make a positive or negative contribution to neighbourhood character, and how they might evolve over time.

Road treatments

- Maintain the informal nature of roads, with unsealed road surfaces and wide open grass verges. There should be a consistency in road surfacing along streets.

Drainage

- Provide a consistency in drainage treatments along streets with a preference for swale drains on neighbourhood character grounds.

Crossovers

- Allow sealed vehicle driveways to the edge of the property line and/or the edge of the kerb. Where swale drains are present the driveways should be crushed rock.
- Gravel or crushed rock of a similar colour as the road surface should be used where a crossover extends into the road carriageway past a kerb and channel treatment as per the example below.



Example of sealed driveway to kerb edge



Example of sealed surface to road carriageway



Footpaths and trails

- For new footpaths, encourage the use of exposed aggregate as a material that best reflects the rural character of the town. The use of concrete surfaces is discouraged.
- Investigate the possibility of trails along the various waterways that traverse the township. The preferred material is lilydale topping or other crushed rock.



Example of exposed aggregate path

Street trees

- Identify gaps in the existing street tree planting, such as Hopkins Street, Molesworth Street and Barry Street.
- Provide symmetrical street tree planting to the grassed road verges with a combination of exotic and native canopy trees.

Town entries

- Clean up the clustering of exotic and weed species along the Barwon River at the eastern township entry and investigate the possibility of new plantings.



Clustering of trees along the Barwon River at the eastern town entry

Recreational / sporting facilities

- Ensure that new buildings and structures within the recreational areas and sporting facilities are sensitively designed to respect the character of the area.
- Lightweight materials such as timber and iron cladding should be incorporated into the design of new buildings in these areas.



7 planning scheme implementation

The design guidelines and objectives outlined in this report have no statutory weight unless they are implemented into the Colac Otway Planning Scheme. The overall aim of the Neighbourhood Character Study is to provide greater control and guidance over development, which can only be influenced if a planning permit is specifically required.

7.1 potential mechanisms

Planning policy

The Municipal Strategic Statement forms Colac Otway Shire Council's main strategic planning policy tool, which operates by establishing the strategic justification and policy context for all other statutory controls within the planning scheme.

Any proposed modifications to the MSS that are recommended through this study should make strong and detailed reference to the importance of neighbourhood character. This will ensure that the MSS contains a correct and accurate policy basis as the overarching context for all other relevant planning provisions.

The introduction of a local planning policy is the next best means to provide appropriate strategic direction within the planning scheme aside from modifications to the MSS. To introduce a local planning policy within the local planning policy framework (LPPF) it is necessary to undertake a planning scheme amendment. Likewise a similar amendment process would need to be followed if future modifications to the policy were proposed.

The advantage of a local planning policy is that it enables policy guidance to be incorporated into the Planning Scheme. A local policy could operate by providing general matters for consideration in circumstances where a planning permit application is required, or it could be tailored to provide much more specific guidance with respect to the Preferred Character Areas.

Incorporated document / reference document

An incorporated document might be involved if either part, or potentially the entire Neighbourhood Character Study, was incorporated into the planning scheme through a planning scheme amendment process. Through this process once the incorporated document is gazetted into the planning scheme it would be given statutory weight and afford a greater degree of policy control.

Whilst this process has clear advantages there remains an issue where if any changes are proposed in future, they could not be officially incorporated without a further planning scheme amendment being pursued. It is highlighted that due to general format of this report it would not be appropriate to include the whole study as an incorporated document.

Reference documents provide background information to assist in understanding the context within which a particular policy or provision has been framed. However, they only a limited role in decision-making as they are not part of the planning scheme and they do not have the status of incorporated documents or carry the same weight.



Overlays

The Neighbourhood Character Overlay (NCO) is an overlay mechanism covering neighbourhood character considerations and related specifically to ResCode provisions. Most specifically the NCO requires all development to be subject to planning approval, extending to both single dwellings and multi-dwelling developments. There is also opportunity through the NCO to modify the provisions of ResCode, to include demolition and tree removal controls (although limited to trees over 5.0 metres in height).

The NCO does not provide the ability to provide exemptions to selected types of development (other than for swimming pools and outbuildings), resulting in the majority of development within an area covered by an NCO requiring planning approval. This would place a significant burden on landowners to obtain approvals for all work. This could have implications for the Responsible Authority in its ability to handle an increased workload. It is also noted that the NCO does not include provision to control front fencing, which often has certain implications regarding neighbourhood character.

A Design and Development Overlay (DDO) is an overlay mechanism that can be utilised to trigger the requirement for a planning permit for all development, or it can be written in such a way to provide certain exemptions or discretionary controls. Whilst a DDO can implement detailed development guidelines within its selected area and can control aspects such as height, setbacks, site coverage, fences etc. it cannot control the demolition of buildings. Furthermore, a DDO needs careful consideration of the exact area it is being applied to.

The Vegetation Protection Overlay (VPO) is an overlay mechanism which would trigger the requirement for a planning permit for vegetation removal, and can be written in such a way to apply to all trees, or to exotic or native species, or to trees of a certain size / trunk diameter etc. A main benefit is that the VPO does not include buildings and works or subdivision requirements. The central issue to the use of a VPO is that it must demonstrate the vegetation sought to be protected is of significance to the character of the area. There are certain locations within Birregurra which have a defined landscape character, where the significance and contribution to neighbourhood character could justify the formal implementation of a VPO.

Currently, the existing Erosion Management Overlay (EMO1) that applies to the southern portion of Birregurra provides inadvertent control over vegetation removal due to landslip issues. Hence, there is a greater abundance of native canopy trees to the southern hilly section of town. However, the extent of the EMO1 was reduced by Amendment C54 on 23 February 2012¹. The new area affected by the EMO1 is shown in the diagram on this page (reference: Map No. 13EMO). This may signify a greater need for a VPO to the southern area of town in order to protect the significant native tree canopy that dominates the character of the area, in addition to other areas of the town which also have a native tree canopy of some description.



¹ Following completion of the *Birregurra Neighbourhood Character Study Issues Paper*



7.2 recommendations

With respect to the various tools within the Victorian Planning Provisions (VPP's) that can be used to introduce the findings of the Birregurra Neighbourhood Character Study into the Colac Otway Shire Planning Scheme, the following is recommended:

- Modifications to the Municipal Strategic Statement (principally Clause 21.03-4) to refer to the proposed Design and Development Overlay (DDO);
- The introduction of a DDO control for land within the existing township boundary, excluding the Low Density Residential Zone and recreational zoning;
- The introduction of a Vegetation Protection Overlay (VPO) to the extent of land covered by Preferred Character Areas 'C' and 'D', which has been identified as making a significant contribution to the native tree canopy in Birregurra; and
- The introduction of the Birregurra Neighbourhood Character Study into the planning scheme as a reference document.

The implications of the above recommendations are discussed in detail below. However in order to introduce the above recommendations it will be necessary to undertake a planning scheme amendment process. Once recommended changes are gazetted into the planning scheme, they will have statutory weight and afford a greater degree of planning control for Colac Otway Shire Council.

7.2.1 modifications to the municipal strategic statement

The existing MSS contains Clause 21.03-4 that deals with settlement in Birregurra. The policy provides an overview of the township, outlining what makes it attractive, then contains a series of objectives and corresponding strategies to provide guidance as the town develops over time.

This policy should be updated to contain an additional 'strategy' that refers to the application of a Design and Development Overlay to administer design guidelines on new development in order to respect neighbourhood character. A reference to this should also be included in Clause 21.06 of the Colac Otway Shire Planning Scheme.

7.2.2 introduction of a design and development overlay

The role of the Design and Development Overlay (DDO) will be to trigger planning approval for selected matters, where development does not comply with the design guidelines. The design guidelines for each Preferred Character Area are therefore not mandatory controls (aside from subdivision). Rather, they are discretionary controls that act as a permit trigger that allows Council to consider each application on its merits. There are also general requirements for new development, such as double storey dwellings, which may trigger the need for a planning permit.

In relation to subdivision, rather than a discretionary control, a mandatory minimum lot size is appropriate to prevent speculative development far below the recommended lot sizes of this study. However, in cases where the mandatory minimum lot size prevents subdivision from occurring there should be flexibility for Council and VCAT to consider these applications. For example, some of the larger lots are slightly less than 2,000m², meaning that a 1,000m² two lot subdivision cannot be achieved. Hence, it is recommended that 10% discretion be included to the mandatory minimum lot size as written in the DDO.



To provide an example of how the DDO will function, if a new dwelling within Preferred Character Area 'C' is closer than 9m to the front boundary and has site coverage of greater than 30% a planning permit would be triggered as the design guideline requirements have not been met. It only takes one non-compliance with a design guideline for a planning permit to be triggered. This by default encourages the future development of detached dwellings (including fencing and outbuildings), to achieve compliance so as to avoid the planning permit process.

However, this does not necessarily mean that a proposed development that does not comply with the guidelines cannot be granted a planning permit. It simply triggers a planning permit requirement, which gives Council the opportunity to assess each application on its merits. This is to ensure that the broader content of the design guidelines are specifically referenced within the planning scheme, so as to ensure they are given appropriate statutory weight in planning decisions. If a proposed development fully complies with the design guidelines for its relevant Preferred Character Area, then the DDO is not applied and a planning permit is only required if triggered by other planning controls.

As any proposed amendment to the content of the local planning policy framework must be correctly formatted in line with established Victorian Planning Provisions style, it would not be possible to directly incorporate the design guidelines of this report into the planning scheme without losing their format. Therefore it is proposed to utilise a DDO to 'mirror' the content of the design guidelines, whilst ensuring their user friendly format is not lost.

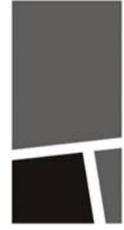
7.2.3 introduction of a vegetation protection overlay

The VPP Practice Note PN07 states that *"If the principal objective is to identify and protect vegetation for its aesthetic value or its contribution to the character of an area, this may be achieved as part of an urban character study"*. As part of this study, it has been recognised that vegetation makes an important contribution to the character of Birregurra. In particular, the hilly southern half of town contains an abundance of significant native canopy trees on private property. Elsewhere there are more sporadic instances of native canopy trees, in particular to the area generally south of Main Street and in some isolated circumstances north of Main Street.

Hence, it is recommended to apply a Vegetation Protection Overlay (VPO) to the extent of land covered by Preferred Character Areas 'C' and 'D' which are generally south of Main Street. This will also include land to the western side of Roadknight Street within the township boundary. These areas have been specifically recognised as having a strong landscape presence that contributes to the character of the area more so than the areas to the north of Main Street and east of Roadknight Street.

A permit will be required to remove, destroy or lop any native vegetation. This does not apply to:

- To the removal, destruction or lopping of native vegetation which is less than 5m high and has a single trunk circumference of less than 0.5m at a height of 1m above ground level;
- To the pruning of vegetation to remove any branch which overhangs an existing dwelling or is within 2m of an existing dwelling;
- To the pruning of vegetation to maintain or improve its health or appearance; and
- To the pruning, or removal of vegetation to prevent damage to works when damage to a pipeline, electricity or telephone transmission line, cable or other service has occurred or is likely to occur.



7.2.4 introduction of the study as a reference document

A reference document is one that is referred to within the planning scheme, however any guidelines or polices contained within a reference document would not be formally incorporated. From this perspective a reference document has a reduced level of statutory weight and is often considered to constitute background information.

This however is deemed appropriate in this instance as the general content of the Birregurra Neighbourhood Character Study is useful as relevant background to the design guidelines which are to be implemented into the planning scheme through the use of a DDO control. Accordingly the Birregurra Neighbourhood Character Study would become a reference document within Clause 21.07 of the Colac Otway Shire Planning Scheme.



appendix 1
fieldwork data collection sheet

birregurra neighbourhood character study | data sheet

initial precinct: _____

street name: _____ (between _____ + _____)

roads		comments			consistency
road condition	<input type="checkbox"/> swale <input type="checkbox"/> informal <input type="checkbox"/> kerb & channel				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
street configuration	<input type="checkbox"/> grid <input type="checkbox"/> curvilinear <input type="checkbox"/> cul de sac				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
road reserve	<input type="checkbox"/> nature strip <input type="checkbox"/> footpath - one side <input type="checkbox"/> footpath - both sides <input type="checkbox"/> special design features - median, etc.				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
nature & environment		comments			consistency
trees	<input type="checkbox"/> prevalence <input type="checkbox"/> absence				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
topography	<input type="checkbox"/> flat <input type="checkbox"/> gently sloping <input type="checkbox"/> sloped				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
private		comments			consistency
trees	<input type="checkbox"/> prevalence <input type="checkbox"/> absence				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
shrubs	<input type="checkbox"/> prevalence <input type="checkbox"/> absence				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
building alignment	<input type="checkbox"/> regular <input type="checkbox"/> angled				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
fencing	description	front	side	comments	consistency
	no fence	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
	low (<1m)	<input type="checkbox"/>	<input type="checkbox"/>		
	medium (1-1.5m)	<input type="checkbox"/>	<input type="checkbox"/>		
	high (>1.5m)	<input type="checkbox"/>	<input type="checkbox"/>		
	permeable	<input type="checkbox"/>	<input type="checkbox"/>		
	solid	<input type="checkbox"/>	<input type="checkbox"/>		
	post & wire	<input type="checkbox"/>	<input type="checkbox"/>		
	picket	<input type="checkbox"/>	<input type="checkbox"/>		
	timber paling	<input type="checkbox"/>	<input type="checkbox"/>		
colourbond	<input type="checkbox"/>	<input type="checkbox"/>			
other	<input type="checkbox"/>	<input type="checkbox"/>			
buildings		comments			consistency
building materials (predominant)	<input type="checkbox"/> weatherboard <input type="checkbox"/> brick <input type="checkbox"/> masonry / render <input type="checkbox"/> mixed <input type="checkbox"/> other				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
building age (era)	<input type="checkbox"/> pre 1900 <input type="checkbox"/> 1900-1919 <input type="checkbox"/> 1920-1939 <input type="checkbox"/> 1940-1959 <input type="checkbox"/> 1960-1979 <input type="checkbox"/> 1980+				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
building height	<input type="checkbox"/> single storey <input type="checkbox"/> two storeys				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
avg. front setback	_____ m				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
side setbacks	<input type="checkbox"/> yes <input type="checkbox"/> no				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
roof style	<input type="checkbox"/> pitched <input type="checkbox"/> hipped <input type="checkbox"/> flat <input type="checkbox"/> skillion				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent
roof materials	<input type="checkbox"/> tiles <input type="checkbox"/> colourbond				<input type="checkbox"/> consistent <input type="checkbox"/> inconsistent