

Owner	Planning and Sustainability
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1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy (LPP) 4.11 – Variations to Building Envelopes.

2.0 INTRODUCTION

Building envelopes are used in various parts of the City to protect vegetation that is deemed to be worthy of retention and to ensure that the proximity of development does not conflict with the use or amenity of the land in which it is located. Additionally, building envelopes are used to restrict development on land that is geologically unstable and to outline to developers/builders that a portion of the site is capable of development. This policy applies to all areas of the City to provide guidance to applicants regarding circumstances in which existing building envelopes can be modified.

3.0 OBJECTIVES

The objectives of this policy are:

- To ensure that building envelopes are sited to minimise the loss and removal of vegetation;
- To enable development on private property which responds to the site's natural features, including but not limited to, physical and geological features;
- To reduce land use conflicts between adjoining properties; and
- To promote the orderly and proper development of land by identifying the circumstances in which a building envelope may be varied.

4.0 APPLICATION OF THIS POLICY

This policy should be read in conjunction with the development standards and requirements of the latest gazetted version of District Planning Scheme No. 2. This policy does not apply to general residential development sites where a local development plan is in place.

For the purposes of this policy a building envelope excludes areas used for:

- open air car parking areas;
- access driveways;
- siteworks required in order to accommodate development;;
- firebreaks; and
- public utilities to service the dwelling such as water, sewer, power, gas, telecommunications.

5.0 POLICY PROVISIONS

Landowners and developers may seek to vary the location, extent and shape of building envelopes in some cases, to accommodate development. This policy has been prepared to provide guidance to applicants about matters to consider when submitting proposals for development approval which seek to vary building envelopes.

When considering applications to vary the location and size of an approved building envelope, the City must be satisfied that the proposed envelope will still be able to accommodate development that is consistent with the objectives of the zone. In this regard, the City will require supporting information with an application that demonstrates the form of future development.

In considering variations to building envelopes, the City will have due regard to the following matters:

- Whether the proposed variation results in a building envelope that is similar in area to the existing building envelope or reflects the maximum building envelope permitted under the City's District Planning Scheme No. 2;
- Whether it is located in an area to avoid and minimise the removal of vegetation that is considered worthy of retention by the City;
- The level of bushfire risk;
- Any geophysical constraints;
- Any building setback distances in the District Planning Scheme No. 2 or other policy;
- The location of any dwellings or other buildings and outdoor living areas on adjoining lots for the purpose of maintaining separation and protection of amenity.

Building envelopes must generally be of a regular shape and comprise of one contiguous area. More than one building envelope may be considered provided that there are no more than three building envelopes in total on any one lot. In these instances, the total area of the proposed building envelopes must be similar in size to the total area of the current building envelope or reflect the maximum building envelope area permitted under the City's District Planning Scheme No. 2.

Notwithstanding the requirements above, an increase in the size of a building envelope may be considered, but any increase should be a maximum of 10% of the maximum permitted area prescribed within the City's District Planning Scheme No.2 or, where no maximum exists, 10% of the area of the original approved building envelope.

Any increase in the permitted Building Envelope in excess of the maximum permitted is required to address the criteria outlined above.

Justification will need to be provided to accompany any proposal to vary a building envelope that is relevant to the purpose such as:

- Environmental reports;
- Bushfire Management Plan;
- Geotechnical study

Such reports or supporting information must be prepared by a suitably qualified professional at the applicant's expense.

DEFINITIONS

Building envelope: means the area of land within a lot within which all buildings (not including boundary fences) and effluent disposal facilities on the lot must be contained.