

**FUTURE MELBOURNE (PLANNING)
COMMITTEE REPORT**

Agenda Item 5.4

**APPLICATION FOR PLANNING PERMIT: TP-2010-413,
279 FLEMINGTON ROAD, NORTH MELBOURNE**

5 October 2010

Presenter: Shiran Wickramasinghe, Manager Planning and Building

Purpose and background

1. The application is presented to Committee at the request of Councillor Shanahan.
2. The purpose of this report is to advise the Committee of an application to construct a three storey building containing six dwellings and nine basement car parking spaces at 279 Flemington Road, North Melbourne (refer Attachment 2 – Locality Plan and Attachment 3 – Proposed Plans).
3. The subject site is located on the southeast corner of Dryburgh Street and Flemington Road. It is irregularly shaped and has a frontage to Flemington Road of 14.94m and to Dryburgh Street of 43m. It has an area of 485m². The site has a fall from the rear (south) to Flemington Road (north) of approximately 2m and is occupied by a double storey brick building containing two dwellings. The building is ungraded in the Conservation Study.
4. Adjoining the site to the north-east is a single storey double fronted brick dwelling (D graded in Council's Conservation Study). The Conservation Study also identifies each street frontage as a level 2 streetscape. To the south-west is a car access way (roller door) to 227 Flemington Road. Farther south-west is a row of three single storey Victorian terraces (C graded in Council's Conservation Study).
5. The site is located in the Residential 1 Zone and is covered by Heritage Overlay Schedule 3. The provisions of clause 55 (Rescode, two or more dwellings on a lot) apply to the proposal.
6. There were six objections to the application from 273 and 277 Flemington Road, 494 and 504 Dryburgh Street and 1 Curran Street, North Melbourne.

Key issues

7. The key issue is the interface to the properties of objectors at 277 Flemington Road and 504 Dryburgh Street. The objectors were concerned about loss of amenity from the built form along the common boundaries. Other objections relate to insufficient car parking, inappropriate design for a heritage precinct and excessive residential density.
8. The concerns relating to amenity are proposed to be addressed through conditions requiring amendments to the plans. The amendments include increased side and rear setbacks from the boundaries of the building, the obscuring of upper level windows and a reduction in height in some parts of the building.
9. Subject to the amendments required by condition 1, the proposal is considered to comply with the requirements of the planning scheme relating to residential amenity, heritage and urban design. For a detailed assessment please refer to Attachment 4 – Delegate Report.

Recommendation from management

10. That the Future Melbourne Committee resolve to issue a Notice of Decision to grant a permit subject to the conditions as listed in the delegate's report.

Attachments:

1. Supporting Attachment
2. Locality plan
3. Proposed plans
4. Delegate Report

SUPPORTING ATTACHMENT

Legal

1. Section 61(1)(b) of the *Planning and Environment Act 1987* (“the Act”) provides that the Responsible Authority may decide:

“to grant a permit subject to conditions”.

In making its decision, Section 60(1) of the Act requires the responsible authority to consider, amongst other things, all objections and other submissions it has received.

Objections have been received in relation to this planning permit application. Section 64 of the Act sets out the procedure to be followed by the responsible authority in these circumstances. The section provides that the responsible authority must give the applicant and each objector a notice in the prescribed form of its decision to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the Tribunal for a review of the decision or, if an application for review is made, until the application is determined by the Tribunal is withdrawn.

Finance

2. There are no direct financial issues arising from the recommendations contained in this report.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

4. Council notified neighbouring owners and occupiers of the subject site by way of ordinary mail and by displaying 2 signs on the site for a period of 14 days. A meeting was held with the two adjoining residents to discuss their particular concerns.

Relation to Council policy

5. The relevant Council policy is referenced in the attached delegated officer’s report.

Environmental sustainability

6. There have been no specific details provided with respect to environmental sustainability.



CITY OF MELBOURNE

279 Flemington Road, North Melbourne

Locality Plan

Agenda Item XXX
FMC 5 October 2010



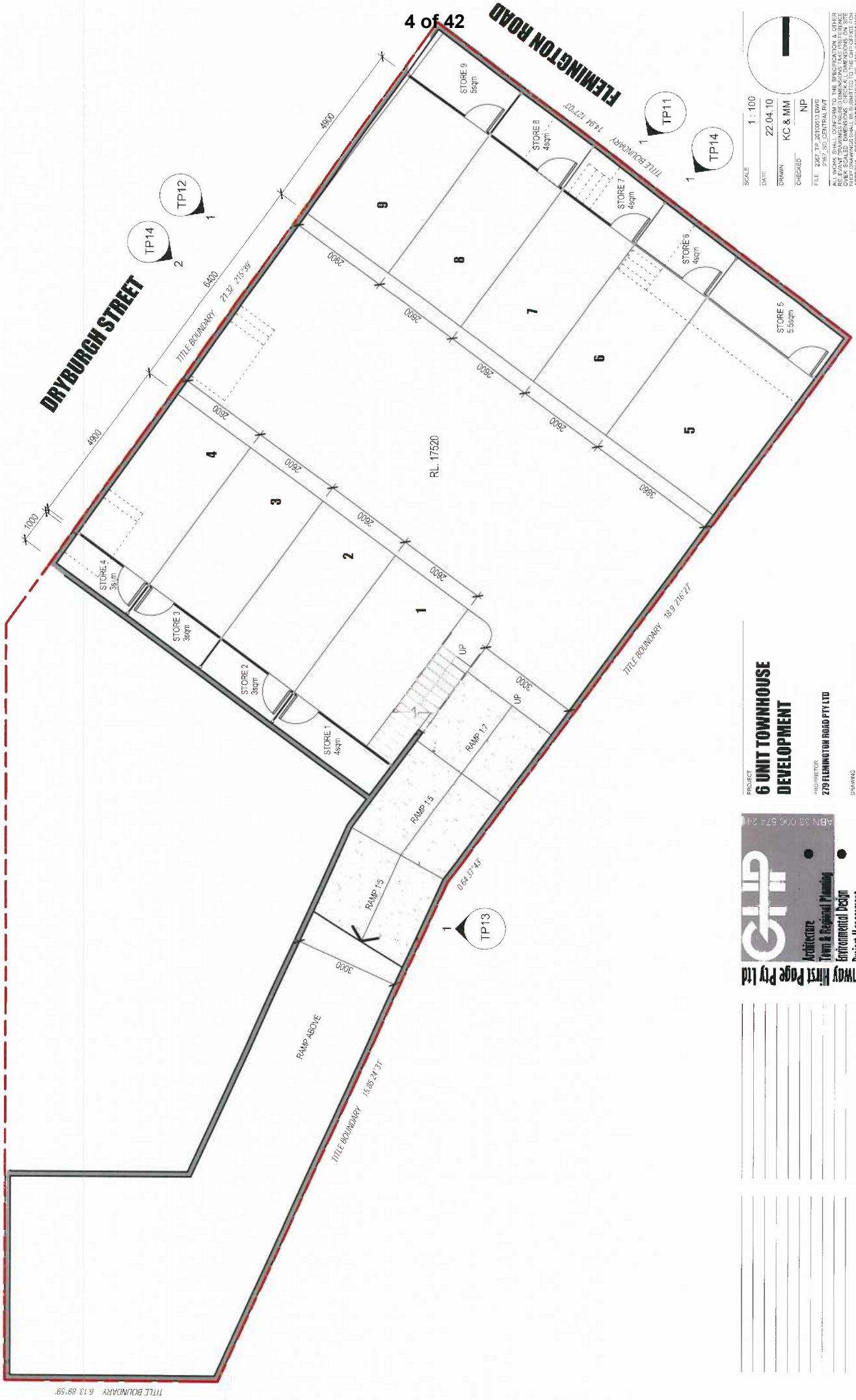
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DRYBURGH STREET

TITLE BOUNDARY 21.8 795 56



SCALE 1 : 100
 DATE 22.04.10
 DRAWN KC & MM
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 FILE 2357 TP STORES.DWG
 PROJECT 2357 50 CENTRAL PVT
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PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT

PROJECTOR
 279 FLENTON ROAD PTY LTD

DRAWING
PROPOSED BASEMENT PLAN

GTP
 Architecture
 Town & Regional Planning
 Environmental Design
 Project Management
 Urban Design
 ABN 33 006 574 241
 Email: info@gtp.com.au
 Website: www.gtp.com.au
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30.07.10	3	TP AMENDMENT
24.08.10	2	RAMP WIDTH ADJUSTMENT
04.08.10	1	TP SUBMISSION

NOTES & APPENDIX

DRYBURGH STREET

TITLE BOUNDARY 21.8 179°56'

NEW CONG. CROSSOVER

DRYBURGH STREET

5 of 42

FLEMINGTON ROAD



UNITS AREA SCHEDULE

UNIT 1	102 sqm
UNIT 2	166 sqm
UNIT 3	141 sqm
UNIT 4	155 sqm
UNIT 5	109 sqm
UNIT 6	111 sqm

UNITS PRIVATE OPEN SPACE

UNIT 1	BALCONY VERANDAH	19 sqm 6 sqm 13 sqm
UNIT 2	BALCONY VERANDAH	53 sqm 30 sqm 23 sqm
UNIT 3	BALCONY VERANDAH	29 sqm 21 sqm 8 sqm
UNIT 4	BALCONY VERANDAH	39 sqm 30 sqm 8 sqm
UNIT 5	VERANDAH ROOFTOP	68 sqm 12 sqm 56 sqm
UNIT 6	BALCONY VERANDAH ROOFTOP	82 sqm 6 sqm 6 sqm 70 sqm

6 UNIT TOWNHOUSE DEVELOPMENT

PROJECT: 279 FLEMINGTON ROAD PTY LTD

PROPOSED GROUND FLOOR PLAN

GTP
Architecture
Town & Regional Planning
Environmental Design
Project Management
Urban Design

Local #6@tpz
Mobile #9404 46
Tel 03 9339 7611
Tel 03 9338 1691
44 DRAYBURN STREET NORTH AUSTRALIAN ACTON 300 AUSTRALIA

DATE	REV	DETAIL
30.07.10	3	TP AMENDMENT
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NOTES & ADDENDUM

SCALE: 1:100
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DRYBURGH STREET

TITLE BOUNDARY 21.8 79°36'

TP11

TITLE BOUNDARY 6.13 89°59'

UNIT 6
RL. 23340

UNIT 5
RL. 23340

UNIT 4
RL. 23340

UNIT 3
RL. 23340

UNIT 2
RL. 23340

UNIT 1
RL. 23340

TP12

TP14

TP14

6 of 42

FLEMINGTON ROAD 14.9 127°07'

TP11

TP14

TITLE BOUNDARY 18.9 276°27'

SINGLE STOREY
NO. 271

TP13

0.64 37°12'

SET BACK 2700

RAMP BELOW

SET BACK 1427

0.64 37°12'

RAMP BELOW

SET BACK 4025

SET BACK 4025

SET BACK 4025

SET BACK 4025

SET BACK 4025

SET BACK 4025

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SET BACK 4025

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PROJECT 2357 3RD CENTURY TOWN
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PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT
PROPOSED FIRST FLOOR PLAN
PROBONITOR
2715 FLEMINGTON ROAD PTY LTD
DRAWING

CTP
Architecture
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Urban Design
44 GREGORY STREET NORTH MELBOURNE VICTORIA 3041 AUSTRALIA
t: 03 9339 2611
f: 03 9339 1931
www.ctp.com.au

NO.	DATE	REV	DESCRIPTION	BY	CHK
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3	04.08.10	1	TP SUBMISSION		

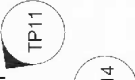
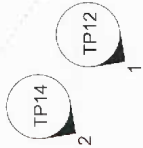
NOTES & ADDENDUM

DRYBURGH STREET

DRYBURGH STREET

7 of 42

FLEMINGTON ROAD



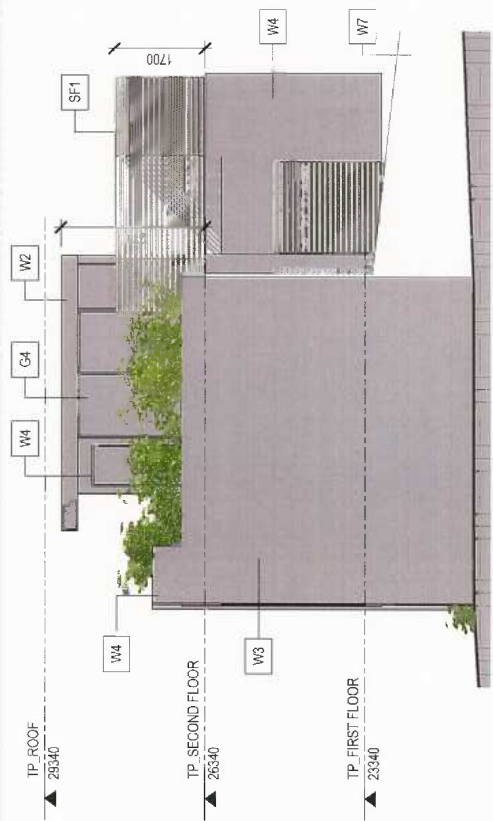
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PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT
 PROJECT NO. 277
 FLEMINGTON ROAD PTY LTD
 275 FLEMINGTON ROAD PTY LTD
PROPOSED SECOND FLOOR PLAN

Architecture
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Urban Design
Greenway First Page Pty Ltd
 44 DRYBURGH STREET ADELAIDE SA 5001 AUSTRALIA
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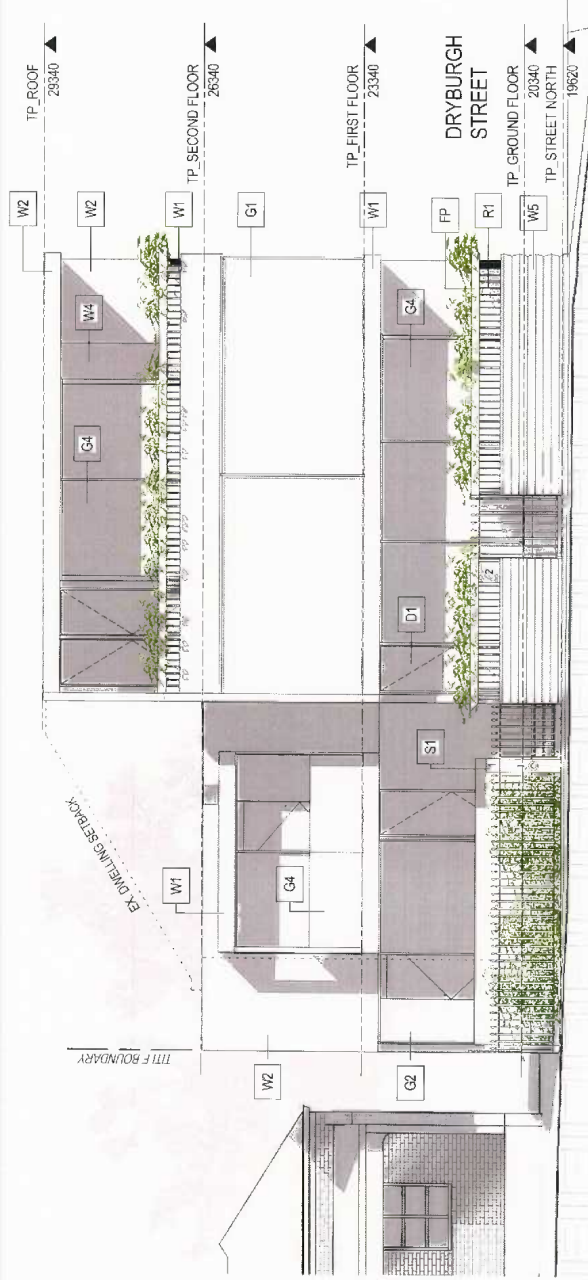
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04.06.10	1	TP SUBMISSION

NOTES & ADDENDUM



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FRONT_FLEMINGTON ROAD 1

1:100 TP07

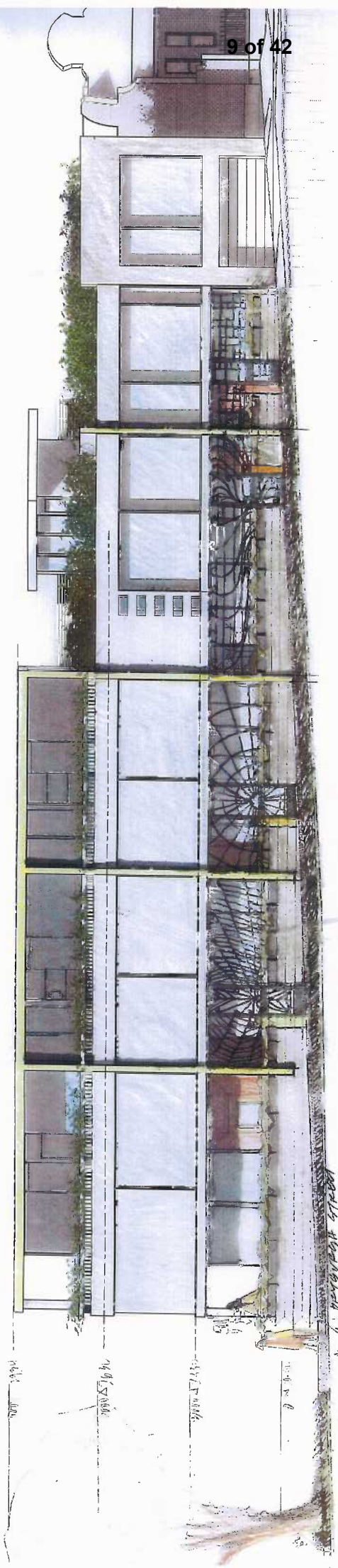
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PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT
 PROJECT TITLE
219 FLEMINGTON ROAD PTY LTD
 DRAWING
ELEVATIONS NORTH-EAST & NORTH-WEST

GTP
 Architecture
 Town & Regional Planning
 Environmental Design
 Project Management
 Urban Design
 Tel: 03 9339 1611
 Fax: 03 9339 1671
 44 LORRAINE STREET NORTH MELBOURNE VIC 3041 AUSTRALIA
 Email: info@gtpp.com.au
 Website: www.gtpp.com.au

DATE	REV	DETAIL
30.07.10	2	TP AMENDMENT
30.08.10	1	TP SUBMISSION

NOTES & ADDENDUM
D1 FEATURE SOLID TIMBER DOOR
D2 SECTIONAL PANEL GARAGE DOOR
D3 GLASS SLIDING DOOR
FP FOLDED METAL FLOWER POT
G1 GLAZING TYPE 1
G2 GLAZING TYPE 2
G4 GLASS BALUSTRADE TO 1000 HEIGHT
R1 RAILING 20 DIA. MS POST @ 125 CTS WITH OPAQUE GLASS
S1 STREET NUMBER & LETTER BOX
S2 GLASS BALUSTRADE TO 1000 HEIGHT
S3 JARRAH SCREENS TO 1800 HEIGHT
S4 JARRAH SCREENS
S5 SECURITY SCREEN MS FRAME



WEST ELEVATION



SIDE DRYBUR

DATE	REV	DETAIL

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GFP

Environmental Design
Project Management
Urban Design

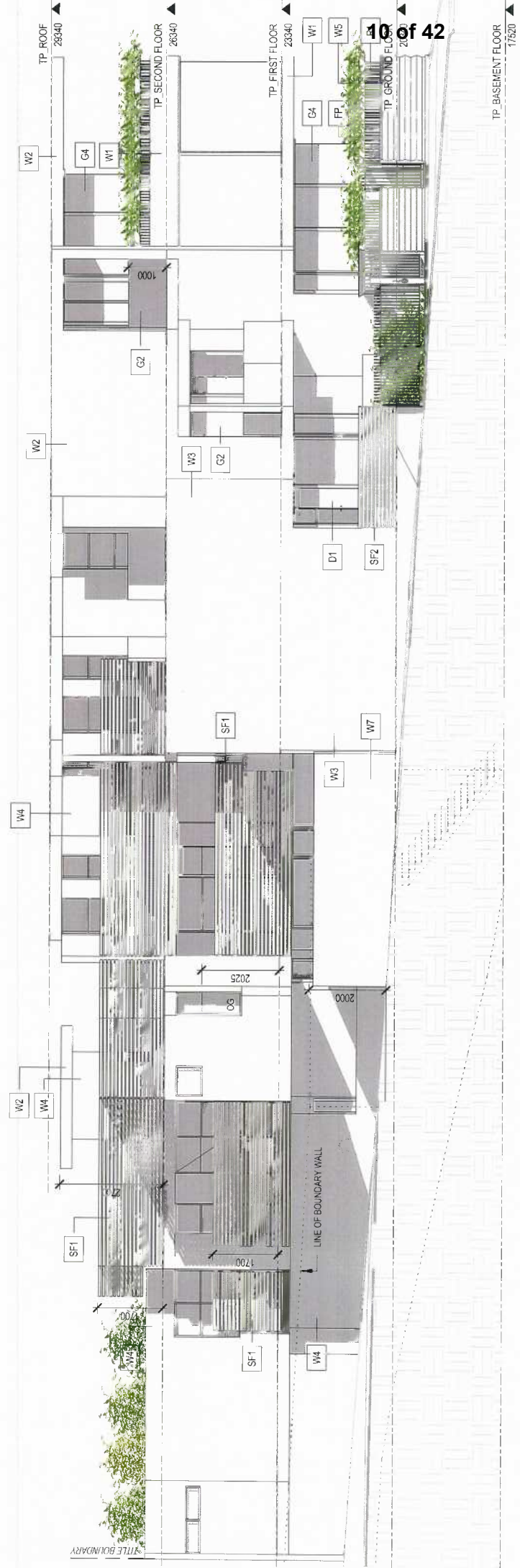
Tel 03 9338 1611
Tel 03 9338 1691
44 LERESA STREET MANTLE MELBOURNE VICTORIA 3048 AUSTRALIA

Email: info@gfp.com.au
Website: www.gfp.com.au

PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT

PROPRIETOR
279 ELEMINGTON ROAD PTY LTD

DRAWING
STREETSCAPES



BACK EAST 1

1:100 TP07

SCALE	1:100
DATE	22.04.10
DRAWN	KC & MM
CHECKED	NP
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PROJECT	2397 / 50 CENTRAL/VT
CLIENT	THE GREENWAY HIRST DEVELOPMENT
DESIGNER	GREENWAY HIRST PAGE PTY LTD
ARCHITECT	GREENWAY HIRST PAGE PTY LTD
ENVIRONMENTAL DESIGN	GREENWAY HIRST PAGE PTY LTD
URBAN DESIGN	GREENWAY HIRST PAGE PTY LTD
PROJECT MANAGEMENT	GREENWAY HIRST PAGE PTY LTD
APPROVAL	GREENWAY HIRST PAGE PTY LTD
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6 UNIT TOWNHOUSE DEVELOPMENT
278 TILMINGTON ROAD PTY LTD
ELEVATION BACK EAST

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100/110
RIVERVIEW
44 LORRAINE STREET NORTH ADELAIDE SA 5001 AUSTRALIA

Ph: 08 8333 4111
Ph: 08 8333 1671

W1	ALUCOBOND CLADDING TYPE 1
W2	ALUCOBOND CLADDING TYPE 2
W3	PRECAST CONCRETE WALL
W4	WALL CLADDING TYPE 1
W5	FEATURE WALL
W6	FEATURE WALL CLADDING
W7	PRECAST CONCRETE WALL 2000 HEIGHT
SF1	STREET NUMBER & LETTER BOX
SF2	JARRAH SCREENS TO 1000 HEIGHT
SF3	JARRAH SCREENS
SF4	SECURITY SCREEN MS FRAME

D1	FEATURE SOLID TIMBER DOOR
D2	SECTIONAL PANEL GARAGE DOOR
D3	GLASS SLIDING DOOR
D4	FOLDED METAL FLOWER POT
D5	GLAZING TYPE 1
D6	GLAZING TYPE 2
D7	GLASS BALUSTRADE TO 1000 HEIGHT
D8	RAILING 20 DIA MS POST @ 125 CTS WITH OPAQUE GLASS
D9	STREET NUMBER & LETTER BOX
D10	JARRAH SCREENS TO 1000 HEIGHT
D11	JARRAH SCREENS
D12	SECURITY SCREEN MS FRAME

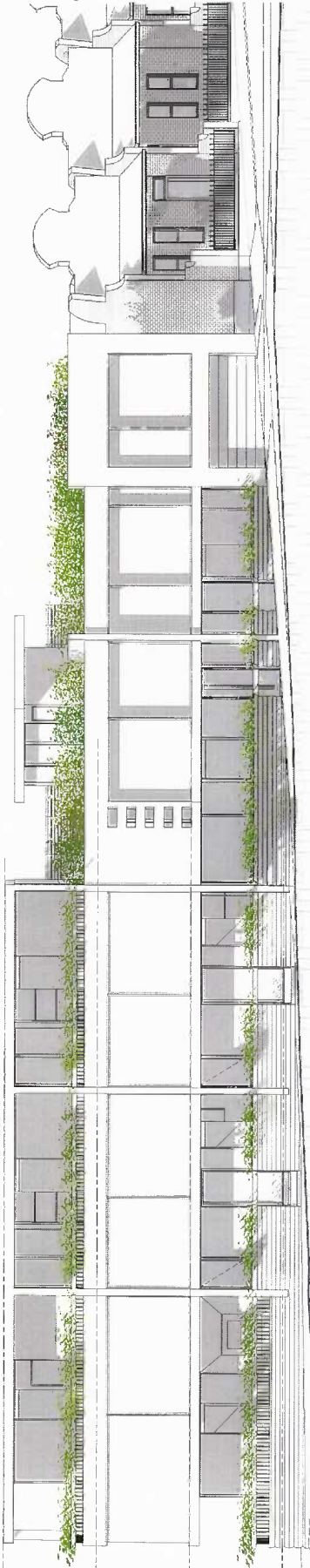
NOTES & ADDENDUM



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TP ROOF 23340
 TP SECOND FLOOR 26340
 TP FIRST FLOOR 23340
 TP GROUND FLOOR 20340



SIDE_DRYBURGH STREET 2

1:150 TP07

DATE	REV	DESCRIPTION
30.07.10	2	TP AMENDMENT
04.05.10	1	TP SUBMISSION
		DE AL

NOTES & ADDENDUM

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 Fax: 03 9338 1991
 44 FLEMINGTON STREET NORTH MELBOURNE VICTORIA 3051 AUSTRALIA

STREETSCAPES
 DRAWING
 279 FLEMINGTON ROAD PTY LTD
 PROJECTOR
6 UNIT TOWNHOUSE DEVELOPMENT
 PROJECT
 APN 33 006 574 24

SCALE 1 : 150
 DATE 22.04.10
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EXTERNAL COLOURS & FINISHES

ROOF OPTIONS



ROOF SHEETING
ZINCALUME STEEL

WALL CLADDING



ALUCOBOND (W1)
ALCOTEX SILVER

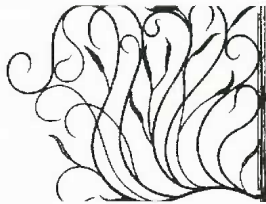


ALUCOBOND (W2)
ALCOTEX CHAMPAGNE

FEATURE GATES



MS STEEL SECURITY GATE (TYPE 1)



MS STEEL SECURITY SCREEN GATE (TYPE 2)



MS STEEL FEATURE SECURITY SCREEN (TYPE 3)

DOOR AND FENCE COLOUR



DULUX ENTRY DOOR 'NAMBIAN' P10 B6



FEATURE TIMBER FENCE

GIP
 Architecture
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 Environmental Design
 Project Management
 Urban Design
 Level 4 @ 14th
 44 CROSS STREET NORTH ADELAIDE SA 5001 AUSTRALIA
 TEL 81 833 1611
 FAX 81 833 1631
 Email: info@gip.com.au

PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT
 ARCHITECT
 279 FLEMINGTON ROAD PTY LTD
 DRAWING
EXTERNAL COLORS AND FINISHES

SCALE
 DATE **22.04.10**
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NOTES & ADDENDUM



DATE	REV	DETAIL

NOTES & APPENDIX

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 44 LINCOLN STREET NORTH MELBORNE VICTORIA 3048 AUSTRALIA
 E: info@hhpaj.com.au
 W: www.hhpaj.com.au

PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT

PROPOSER
 278 RIMINGTON ROAD PTY LTD

DRAWINGS
PROPOSED STREETSCAPE PERSPECTIVE

SCALE

DATE 22.04.10

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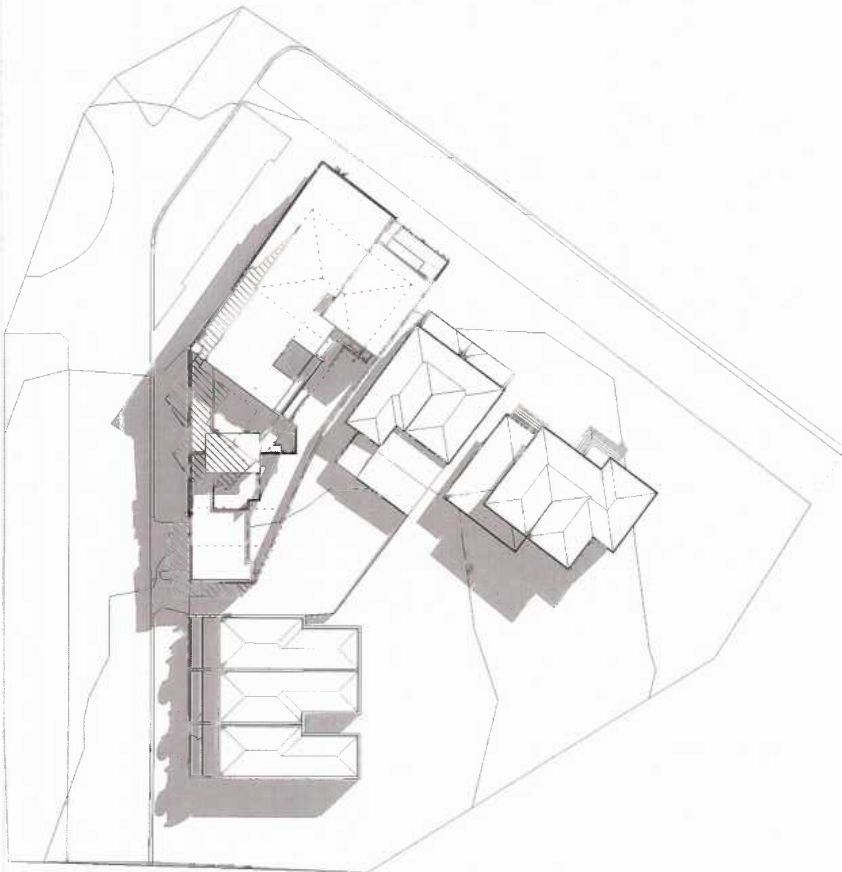
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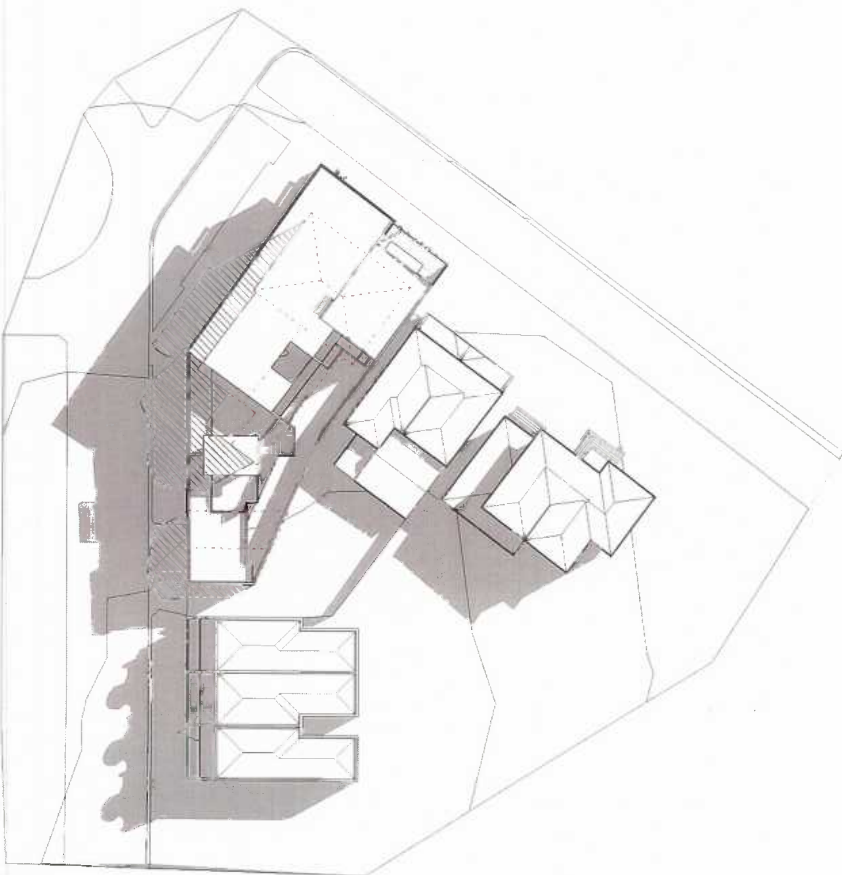
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30/07/2010 11:36:48 AM



SUBJECT SITE SHADOW DIAGRAM - 10AM



SUBJECT SITE SHADOW DIAGRAM - 9AM

- EXISTING BUILDINGS ON SUBJECT SITE
- SHADOWS OF EXISTING BUILDINGS ON SUBJECT SITE
- SHADOWS OF PROPOSED BUILDINGS ON SUBJECT SITE

SCALE 1:500
 DATE 22.04.10
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 FILE 236_TOWNHOUSE
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2357 TP15 2
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PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT

PROPOSITOR
 279 FLEMINGTON ROAD PTY LTD

DRAWING
SHADOW DIAGRAMS
9AM, 10AM

CIP
 Architecture
 Town & Regional Planning
 Environmental Design
 Project Management
 Urban Design

Lead: ip@cip.net.au
 Phone: www.cip.net.au
 44 GREEN STREET NORTH MELBOURNE VICTORIA 3041 AUSTRALIA

ABN 63 006 574 241

DATE	REV	DETAIL
24.06.10	2	RAMP WIDTH ADJUSTMENT
04.06.10	1	TP-SUBMISSION



SUBJECT SITE SHADOW DIAGRAM - 12PM



SUBJECT SITE SHADOW DIAGRAM - 2PM

- EXISTING BUILDINGS ON SUBJECT SITE
- SHADOWS OF EXISTING BUILDINGS ON SUBJECT SITE
- SHADOWS OF PROPOSED BUILDINGS ON SUBJECT SITE

DATE	REV	DETAIL
24.06.10	2	RAMP WIDTH ADJUSTMENT
04.06.10	1	TP SUBMISSION

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 Environmental Design
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 Tel 03 9333 1911
 Fax 03 9333 1911
 41 LORRAINE STREET NORTH, ROSSDALE VICTORIA 3084 AUSTRALIA

Level: #4@Mk18
 Name: www.gwhp.com.au

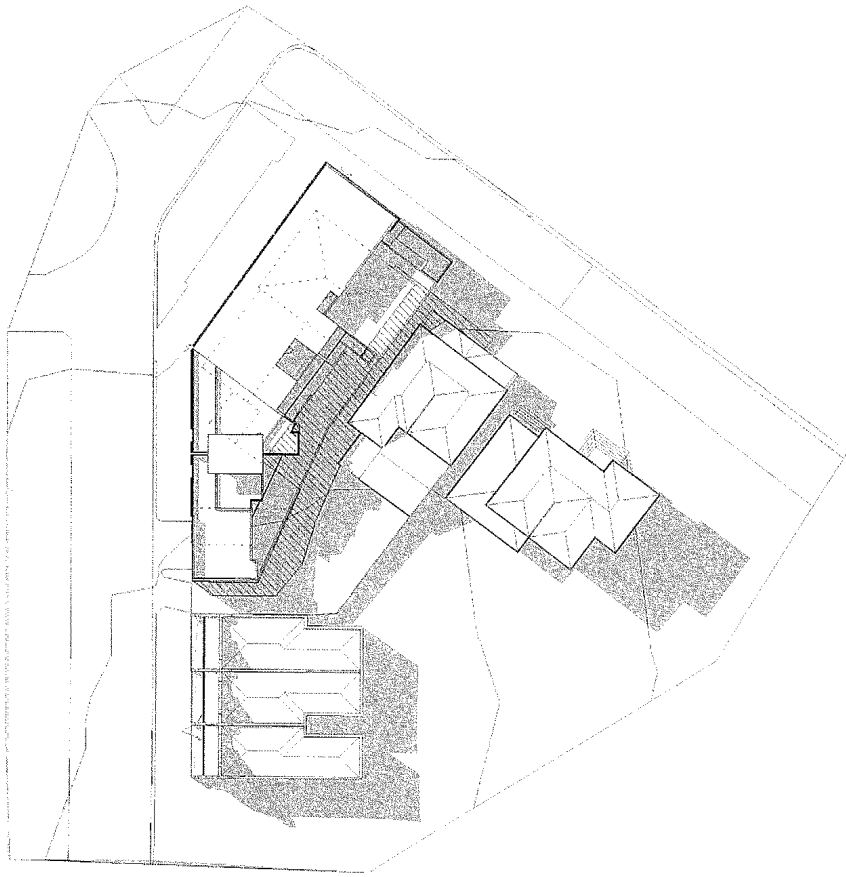
6 UNIT TOWNHOUSE DEVELOPMENT
 279 FLEMINGTON ROAD PTY LTD
 DRAWING NO: 2357 TP16 2

SHADOW DIAGRAMS
 12PM, 2 PM

SCALE: 1:500
 DATE: 22.04.10
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 2357 TP16 2357 TP16 2

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SUBJECT SITE SHADOW DIAGRAM - 3PM

- [---] EXISTING BUILDINGS ON SUBJECT SITE
- [Hatched] SHADOWS OF EXISTING BUILDINGS ON SUBJECT SITE
- [---] BUILDINGS OF PROPOSED BUILDINGS ON SUBJECT SITE
- [Hatched] SHADOWS OF PROPOSED BUILDINGS ON SUBJECT SITE

DATE	REV	DETAIL
24.08.10	2	RAMP WIDTH ADJUSTMENT
04.08.10	1	TP SUBMISSION

NOTES & ADDENDUM

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 Tel: 61 8 9339 1611
 Fax: 61 8 9338 1691
 44 WILSON STREET NORTH ADELAIDE SA 5005 AUSTRALIA
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 Email: #@#@#

PROJECT
6 UNIT TOWNHOUSE DEVELOPMENT
 PROJECTOR
 278 FLEMINGTON ROAD PTY LTD
 DRAWINGS
SHADOW DIAGRAMS
3PM

SCALE 1 : 500
 DATE 22.04.10
 DRAWN KC & MM
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DELEGATED PLANNING APPLICATION REPORT

APPLICATION NO:	TP-2010-413
APPLICANT:	James Livingston
ADDRESS:	279-281 Flemington Road, NORTH MELBOURNE VIC 3051
PROPOSAL:	Demolition of the existing dwelling and construction of 6 dwellings.
DATE OF APPLICATION:	7 June 2010
RESPONSIBLE OFFICER:	Meagan Merritt

1. SUBJECT SITE AND SURROUNDS

The subject site has the following characteristics:

- It is located on the South East corner of Dryburgh Street and Flemington Road.
- It is irregularly shaped and has a frontage to Flemington Road of 14.94m and Dryburgh Street of 43m.
- The area is 485m².
- The site has a fall from the rear (south) to Flemington Road (north) of approximately 2m.
- It is occupied by a double storey brick building containing 2 dwellings.
- Adjoining the site to the north east is a single storey double fronted brick dwelling (D graded in Council's Conservation Study).
- The conservation study also identifies each street frontage as a level 2 streetscape.
- To the south west is a car access way (roller door) to 227 Flemington Road.
- Farther south west is a row of three single storey Victorian terraces (C graded in Council's Conservation Study).

2. BACKGROUND AND HISTORY

Pre-application discussions

The application was discussed at three pre application meetings where the design was progressively modified.

Amendments during the process

Amended plans were submitted on 30 June 2010 after advertising. These plans changed the layout of the car park, provided a reduction in the scale of the building, increased setbacks and incorporated a roof garden. These plans were not advertised as they did not cause additional material detriment to any party.

Planning Application History

There is no relevant history or background for this application.

3. PROPOSAL

The application proposes the construction of six dwellings. This involves:

- Demolition of the existing dwelling and outbuildings.
- Construction of a partly three storey building with a basement.
- Use of the existing crossover as a driveway to a basement car park.
- Provision of nine basement car parking spaces.
- Dwellings 1 and 2 front Flemington Road and dwellings 3-6 front Dryburgh Street.
- The ground floor is set back between 1.2m and 4m from the boundary and includes a ground floor verandah for each dwelling.
- The dwellings vary from two to three bedrooms, located at first and second floor level.
- Each dwelling has either a roof top deck or balcony at second floor.
- Balconies and decks are screened to the rear to a height of 1.7m.
- Dwellings two, three and four are three storeys whilst one, five and six are two storeys. Five and six have a roof deck which will require balustrades for safety and partial screening to prevent overlooking.
- The building has a flat roof and is finished in glass and render.
- The ground floor verandas are screened with feature gates.

4. STATUTORY CONTROLS

The following controls, decision guidelines and application requirements are relevant to the application:

Clause	Permit Triggers:
Residential 1 Zone	A permit is required to construct two or more dwellings on a lot.
Heritage Overlay Schedule 3	A permit is required to demolish a building and to carry out buildings and works.
Clause 52.29 – Land adjoining a Road Zone 1.	The adjoining road (Flemington Road) is within a Road Zone 1. It is not proposed to alter access to the road zone therefore a requirement for planning permit is not triggered.
Clause 55 – Rescode two or more dwellings on a lot.	The provisions of Rescode apply.

5. STRATEGIC FRAMEWORK

Relevant policies of the State Planning Policy Framework and Local Planning Policy Framework included in the Melbourne Planning Scheme include:

- Metropolitan Development – Clause 12
- Heritage – Clauses 15.11 and 22.05
- Residential Amenity – Clause 21.04
- Urban Design – Clauses 19.03 & 22.17
- Car parking and public transport – Clauses 18.02 & 21.06
- North and West Melbourne Precinct – Clause 21.08-9

6. PARTICULAR/ GENERAL PROVISIONS

The following Particular and General Provisions apply to the application:

- Clause 52.06- Car Parking
- Clause 52.29- Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
- Clause 55- Two or More Dwellings on a Lot - Rescode
- Clause 65- Decision Guidelines, which includes the matters set out in Section 60 of the Planning and Environment Act 1987.
- Clause 66- Referral and Notice Provisions

7. PUBLIC NOTIFICATION

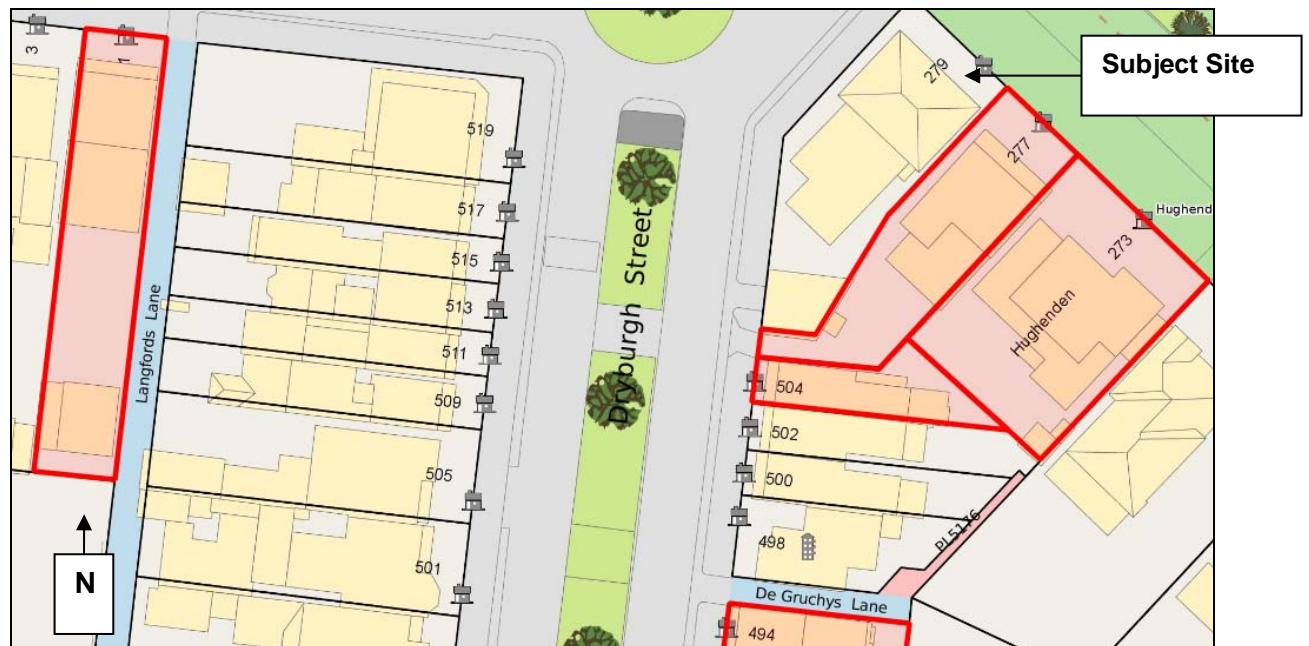
It was determined that the proposal may result in material detriment therefore Council gave notice of the proposal by ordinary mail to the owners and occupiers of surrounding properties and directed that the applicant give notice of the proposal by posting 2 notices on the site for a 14 day period, in accordance with Section 52 of the Planning and Environment Act 1987.

8. OBJECTIONS

The application has received six objections raising the following concerns (summarised):

- Over development and excessive building mass and height.
- Loss of amenity including loss of daylight and overlooking to 504 Dryburgh Street.
- Increased demand upon on street car parking.
- Lacks green space (vegetation and open spaces).
- Density too high for the land size.
- Noise and fumes from the driveway.
- Impacts upon stormwater and drainage.
- Inconsistent with the neighbourhood heritage character.

Map showing Location of Objectors



9. EXTERNAL REFERRALS

The application was not required to be externally referred.

10. INTERNAL REFERRALS

The application was referred to the following areas of Council for comment:

Engineering Services Group (ESG)

ESG note that the resident parking provision is acceptable and the visitor demand could be accommodated on-street. They make the following recommendations:

A note should be placed on the planning permit stating: "The residents who will occupy this development will not receive parking permits and will not be exempt from any on-street parking restrictions in the area. Council will not change the parking restrictions to accommodate the servicing/delivery/parking needs of the development, as the restrictions are designed to cater for a number of other competing demands and access requirements."

Vehicle access is proposed via an existing crossover, which is to be widened. The plans do not adequately detail the crossover width/location, nor show existing kerb alignment along Dryburgh Street. A plan showing both the proposed access/kerb line information must be provided.

A roller shutter door is proposed at the top of the ramp with a 4.5m opening (plans are not to scale). The top section of the ramp is 5m wide with a grade of 1:20, 5.4m into the site. The next section of ramp is flat, bending acutely and narrowing to 2.8m. Following the short/flat section, the main part of the ramp has 1:5 grade with 1:7 transitions at top/bottom, retaining 2.8m width between walls. While individual aspects of the ramp could be made to comply with some requirements, the overall ramp design is poor. The ramp enters the property at a high-point of the site, making it overly long and requiring a tight bend. The ramp location/ design is unsatisfactory and a significant redesign of access arrangements is required to provide an appropriate ramp.

The ramp should be widened to 3.6m between walls as per AS2890.1.

Spaces 1, 6 and 7 next to stairs should be widened by 300mm to ensure convenient access/egress.

The basement must be redesigned to provide an aisle extension.

A minimum height clearance of 2.1m must be provided, including along the ramp, measured to the underside of any pipe-work, ducting etc.

The applicant should show that the storage unit doors are large enough to provide convenient access/egress for bicycles and that there will still be sufficient room for the storage of other items within the storage cages in addition to bicycle storage.

General conditions relating to civil engineering and waste matters were also suggested and are included in the permit conditions.

Heritage Advisor

Council's Heritage Advisor made the following recommendations:

Modify the proposal to include the following:

- Set back Unit 1 to be in alignment with the adjoining building facade – 6.4m or retain the 4.3m setback of the existing building with a landscaped area at least 1.8m in depth and a landscaped side setback of at least 1.2m.
- Set back Unit 2 at the same setback as the existing building - 4.3m in Flemington Road.
- Setback Units 5 and 6, 1.2m from Dryburgh Street and incorporate at least 1.8m depth of landscaping in this zone.
- Reduce the maximum fence height to 1.5m and make this visually permeable. Delete the glazing.
- To reduce the apparent bulk, further emphasise the vertical façade divisions and diminish the horizontal emphasis. Reduce the extent of glazing to the first floor.
- Clarify materials.

A discussion of heritage related matters is set out in the report below.

Urban Design Branch

The Urban Design branch made the following recommendations:

The general approach of creating interest and articulating the building bulk is appropriate however we would make the following comments with respect to each. They are:

The north eastern Flemington Road boundary –The proposed setback at Unit 1 should be increased to align with the neighbouring edge of the external wall of No. 277 Flemington Road to give continuance of the built form within the existing site context and to better articulate visual massing.

The west/north west Dryburgh Street boundary: The minimum required set back for this boundary is 3m however the reduced 1490mm at Unit 2 on the ground floor to address the corner and give urban definition is supported. We recommend that the building setbacks at Unit 3, 4, 5 and 6 on ground level should be increased to a minimum of 1490m to provide some opportunities for façade softening using plants.

The rear eastern boundary: Unit 1 is built up to the boundary wall and in this scenario is considered appropriate if future development was built up the boundary to the same extent on the neighbouring site.

We would request that the Applicant provide a coloured perspective view from the south east and clearly identify the proposed materials on the elevations. This 'pop-out' should present well to the street.

We recommend that the Dryburgh Street elevation be amended (adjacent to the existing terraces at units 5 and 6) to reduce the scale of the façade further and provide a better transition between new and existing built form. This could be achieved by articulating the vehicular entry further.

We recommend the use and proposed extent of all external finishes be clarified by the applicant.

Pedestrian safety: To avoid the possibility of entrapment we recommend the use of a perforated garage door or similar fronting onto Dryburgh Street to allow clear visibility.

11. ASSESSMENT

The application has been assessed against the relevant State and local policies as described above, and against the provisions of the Residential 1 Zone, the Heritage Overlay and Clause 55 (ResCode).

It is considered that there is strategic support for the redevelopment of this site for medium density residential development. The site is within a zone which encourages residential land use at a range of densities, and the site is well served by transport services.

Clause 12.02 of the Melbourne Planning Scheme recognises the need for urban consolidation and medium density housing to be located within established urban areas. Clause 21.04-1 of the MSS acknowledges that the City of Melbourne's population is growing and managing residential growth in a sustainable way is a key issue.

The key issues in the consideration of this application include:

- Heritage and built form.
- Amenity impacts.
- Car parking.

Heritage and built form

Heritage matters are considered under clauses 22.05 and 43.01 of the Melbourne Planning Scheme. Clause 22.05 establishes performance standards outlining the criteria by which the planning applications for new development in heritage areas are assessed.

Context

The building itself is ungraded, i.e. not a building of heritage significance.

Whilst the building is ungraded the site sits within a Level 2 streetscape. Both Dryburgh Street and the short section of Flemington Road in front of the subject site and the adjoining dwelling at 277 Flemington Road are within the Level 2

streetscape, whilst properties farther to the south-east along Flemington Road are in a Level 3 streetscape.

The adjoining single-storey double-fronted building at 277 Flemington Road is D graded and set back 6.4m from the street.

The site is separated from a row of single-storey C graded dwellings at 500 to 504 Dryburgh Street only by the narrow rear vehicle entrance of 277 Flemington Road. These dwellings are constructed to within approximately 2.5m of the street.

Proposed Demolition

There is a planning permit trigger for the demolition of the building on the site, however given the building itself is ungraded then provided the replacement building is acceptable there is no issue with respect to demolition.

Heritage Assessment

For this site the policy requires the following performance standards (as summarised) to be considered:

- The external shape of a new building should be respectful¹ in a Level 2 streetscape. Subject to conditions requiring increased setbacks and a reduction in the height of parts of the building, the shape and form of the new building is considered to be appropriately respectful of surrounding buildings, providing for a form that steps down in scale and increases in set-back at the interface with 277 Flemington Road and at the southern end of the site close to 504 Dryburgh Street. The form does not provide a constant set-back along Flemington Road as recommended by the heritage advisor, but is considered appropriate for this corner location where the intersection of Dryburgh Street and Flemington Road is 55 metres wide and Flemington Road itself is 60 metres wide. On the opposite corner, approval was granted in December 2009 for the demolition of a single-storey shop and dwelling and the construction of three two-storey dwellings with zero set-back to Dryburgh Street and a minimal set-back to Flemington Road (refer TP-2008-1073).
- The facade pattern and colours of a new building should be interpretive². The form of the façade and the proposed palette of colours are considered generally acceptable; however a planning permit condition will require the submission of a schedule of materials and finishes to the satisfaction of the Responsible Authority.
- The surface materials of a new building should always be respectful. The use of render and glass as a surface material is considered respectful whilst being applied in a modern and contemporary manner (for example through the large glass windows on first floor overlooking the street).

¹ 'Respectful' means a design approach in which historic building size, form, proportions, colours and materials are adopted, but modern interpretations are used instead of copies of historic detailing and decorative work.

² 'Interpretive' means a looser reference to historic size, form, proportions, colours, detailing and decoration, but still requires use of historic or closely equivalent materials.

- The *details* (including verandahs, ornaments, windows and doors, fences, shopfronts and advertisements) of a new building should preferably be interpretive, that is, a simplified modern interpretation of the historic form rather than a direct reproduction. The details of the building including the verandah style, doors and fences are a modern interpretation of the details seen elsewhere in the heritage area. The traditional features and materials have been applied in a modern manner, including interpretive use of wrought iron in the fence detail, verandas, windows, etc.
- The *facade height and position* should not dominate an adjoining contributory building in a Level 2 streetscape. Generally, this means that the building should neither exceed in height, nor be positioned forward of, the specified adjoining building. Conversely, the height of the facade should not be significantly lower than typical heights in the streetscape. The facade should also not be set back significantly behind typical building lines in the streetscape. The development proposes to be set forward of the heritage dwelling at 277 Flemington Road, which is considered appropriate given the corner location. However, a permit condition will require the first floor of unit one to be setback 6.5m from the front boundary for a distance of 1.8m from the south eastern (side boundary) adjoining 277 Flemington Road. A condition will also require a parapet to the ground floor component which will sit more comfortably with the wall height of the single storey heritage building. The C graded dwelling at 504 Dryburgh Street does not physically adjoin the subject site (being separated by the rear of 277 Dryburgh Street), however the interface with this building is still an important consideration. It is proposed to require an additional setback of 1.2m at first floor level for the length of the first floor space above the vehicle accessway, and a reduction in the height of the parapet of this building by 0.5m in order to provide a better transition to the terraces. It is considered that these changes will provide for a more appropriate transition in the façade height and building position of the new development.
- The *height* of a building should respect the character and scale of adjoining buildings and the streetscape. New buildings within residential areas consisting of predominantly single and two-storey terrace houses should be respectful and interpretive. The building height is appropriate for this precinct area. The three storey element is limited to the central part of the building. With the amendments outlined above the building will provide an appropriate transition to the contributory heritage dwellings.

Amenity Impacts

The appropriate mechanism for determining the potential for offsite amenity impacts (and the appropriateness of internal amenity) is set out at Clause 55 (ResCode) of the Melbourne Planning Scheme. A full assessment against the ResCode provisions is attached to this report.

The property has only one sensitive interface, which is the abuttal to 277 Flemington Road. Potential amenity impacts to this property would include visual bulk (typically measured by reference to height, building setbacks and boundary walls), overshadowing and overlooking.

Visual Bulk

There are two sections of boundary wall which are proposed to the common boundary with 277 Flemington Road.

The first is at the front of the site and measures 9m in length and between 6m and 6.5m in height. The ResCode standard states that a wall on a boundary should not be more than 3.6m in height (with an average of 3m). The amenity impact of this wall is however limited, as there are no windows at 277 Flemington Road which directly face this wall and the wall is otherwise constructed next to the side wall of the adjoining dwelling. Character related impacts have been addressed above (including the proposed setback changes by condition).

The second section of wall on boundary is at the rear of the site adjacent to the vehicle access / roller door off Dryburgh Street (to the rear of 277 Flemington Road). This wall is 6.1m in length and approximately 5.5m in height. Given the location of this wall (adjacent to the vehicle access point / driveway to the rear of the property) the height of the wall is considered appropriate.

Where the walls are not constructed on the boundary (i.e. the eastern wall of unit 1 and the southern first floor wall of unit 6), the setbacks to this boundary are as follows:

- At ground floor level the proposed building is setback between 3.15m and 5.27m from the common boundary.
- At first floor and for the screening to the roof deck the building is setback between 1.427m (to the bathroom of unit 5) to around 5m. The section proximate to the rear yard of 277 Dryburgh Street is setback 2.7m from the boundary. The height of the wall along this edge (including the 1.7m high screen to the roof deck) is approximately 7.6m.

For a wall of 7.6m in height the relevant ResCode standard would require a setback of 2.69m. Therefore, but for the protruding bathroom / roof deck of unit 5, the proposal complies with the standard. A condition will be imposed requiring the setback of the bathroom and roofdeck of this unit to achieve a 2.7m setback and therefore compliance with the standard.

The ground floor of unit 2 is set back from the boundary 1.49m to create a prominent corner feature. Council's Urban Designer recommended units 3 to 5 be set back 1.49m whereas the Heritage Advisor recommended 1.2m with a landscape buffer. A 1.2m setback for units 3 to 5 is considered sufficient.

Overshadowing

Shadow diagrams submitted with the application indicate that there is some additional overshadowing to the rear (i.e. the area close to the roller door fronting Dryburgh Street) of 277 Flemington Road but that the majority of the remainder of space remains free of any additional shadow through the morning period to 12pm.

At 2pm there is an increase in shadow over the private open space, however over 70sqm of the rear yard remains unaffected by shadow at this time. At 3pm the shadow impact becomes more pronounced, but there remains over 30sqm of the open space which is unaffected by shadow.

The proposal complies with the overshadowing standard that requires 5 hours of sunlight between 9am and 3pm.

Overlooking

There is some potential for overlooking from the first floor windows, balconies and roof decks on the subject site into the secluded private open space of 277 Dryburgh Street. The potential for overlooking has however been addressed at first floor and to the majority of the terraces by the provision of jarrah privacy screens which sit a minimum of 1.7m above floor level. A condition of permit will require additional screening to the roof deck of unit 6 and that all screens be nominated as no more than 25 percent transparent in accordance with the ResCode standard.

Car Parking

Clause 55 sets out the car parking requirements for this form of development. This seeks:

- 1 car parking space for each 1 or 2 bedroom dwelling.
- 2 car parking spaces for each 3 or more bedroom dwelling.
- 1 visitor car parking space for each 5 dwellings.

The proposal is for two x two bedroom dwellings (units 1 and 5) and four x three bedroom dwellings. Therefore the proposal should provide a total of 10 resident spaces and 1 visitor space. The application proposes nine car parking spaces.

Council's Engineering Services Group (ESG) is concerned that the layout of the current parking is not workable. In order to accommodate the design changes necessary, one car parking space will need to be deleted.

Following this amendment the proposal would provide for eight car parking spaces which would be allocated to residents, thereby leaving a shortfall of 2 resident spaces and 1 visitor space (a total of 3 spaces).

This is considered acceptable given the site is within close proximity to public transport (Flemington Road tram line) and is within walking distance of schools, offices and shops including the markets.

Residents of this development will not be eligible for resident parking permits and a note to this effect will be placed on the permit.

ESG also had some concerns with respect to the ramp to the car park, suggesting a width of 3.6m. The ramp has been increased from 2.8m to 3m in width to comply with the planning scheme and Australian Standards and ensures that the ramp will be functional. There is no statutory justification to require a width greater than the requirements of the planning scheme. The roller door has been amended to be a permeable material to address the urban design concerns.

The amended plans delete the stairs previously adjoining spaces 1 and 6. As discussed above another car parking space (which is substandard) is proposed to be deleted which will allow additional space in the basement for bicycle parking and waste storage.

Objectors' Concerns

Over development and excessive building mass and height

The height has been modified by the amended plans and the conditions proposed to ensure an appropriate transition between the proposal and the adjoining residences. 3 storeys is considered an appropriate height for this location.

Loss of amenity including loss of daylight and overlooking to 504 Dryburgh Street.

The proposal has been assessed against the provisions of clause 55 (Rescode). The proposal complies with the overshadowing standard. Any potential for overlooking from the roof deck of unit 6 is proposed to be addressed via a permit condition for screening.

Increased demand upon on street car parking

The proposal provides for eight resident spaces for the six dwellings. This is considered appropriate for the reasons set out above.

Lacks green space (vegetation and open spaces)

The amended plans incorporate small green spaces at ground floor and landscaping at upper levels. While smaller in extent than the open areas of the existing building, they are considered sufficient to make the appearance of the building compatible with nearby development.

Density too high for the land size

Given the large size of the lot, the corner location and the moderate amenity impact the building causes, the density is considered appropriate for the site.

Noise and fumes from the driveway

The impact of eight cars will not be unreasonable given the separation between the adjoining dwelling and the site.

Impacts upon stormwater and drainage

The application was referred to Council's engineers who recommended civil engineering conditions to address these matters.

Inconsistent with the neighbourhood heritage character

The proposal has been amended and further amendment conditions are required to ensure the building complies with Council's heritage policy.

12. RECOMMENDATION

That a Notice of Decision to Grant a Permit be issued for the proposal subject to the following conditions.

13. CONDITIONS

1. Prior to the commencement of any demolition, on the land, the applicant must submit to the Responsible Authority three copies of plans drawn to scale generally in accordance with the plans received on 30/07/2010 but amended to show:

- a). A setback of the first floor of unit 1 by 6.5m from the north eastern (front) boundary for a distance of 1.8m from the south eastern (side) boundary and an increase in the ground floor parapet in this location to 5m in height.
- b). A setback of the first floor of unit 6 by 1.2m from Dryburgh Street for a length of 6m from the southern boundary.
- c). A setback of the first floor bathroom and roof top garden of unit 5 in line with the balcony of unit 6.
- d). Any additional internal rearrangements as a result of conditions a, b, and c.
- e). Deletion of car parking space number 1 and an increase in the width of the remaining 3 spaces.
- f). Reduction in the parapet height of unit 6 by 0.5m.
- g). Details of fixed obscure screens.
- h). Screening to the eastern and southern sides of the roof top garden of unit 6 to prevent overlooking to 277 Dryburgh Street.
- i). Screening of the south west facing balcony of unit 1 (first floor).
- j). Deletion of the glass security screen on the ground floor between units 1 and 2.
- k). Visually permeable and highly detailed security screens.
- l). Provision of mail boxes.
- m). Details of the proposed garage door to provide visual interest.
- n). Stairs set back sufficiently to enable all necessary tactile ground surface indicators to be installed within the property curtilage.
- o). A schedule of colours and materials.
- p). A plan showing the details of the access/ kerb line.
- q). A minimum basement height clearance of 2.1m including above the ramp.
- r). Details of the storage units, demonstrating that a bicycle can be stored comfortably in this space.
- s). Provision of a waste storage room.

These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

2. The development as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

3. The owner of the subject land should construct a drainage system, incorporating water sensitive urban design, within the development and make provision to connect this system to Council's stormwater drainage system in accordance with plans and specifications first approved by the Responsible Authority; Manager - Engineering Services.

4. The Owner of the subject land should construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings adjacent the subject land in accordance with plans and specifications first approved by the Responsible Authority; Manager - Engineering Services.

5. The Owner of the subject land will not be permitted to alter the existing footpath/road levels in Dryburgh Street and Flemington Road for the purpose of constructing new vehicle or pedestrian entrances without first obtaining the written approval of the Responsible Authority; Manager - Engineering Services.

6. The Owner of the subject land should reconstruct the footways in Dryburgh Street adjacent the subject land in accordance with plans and specifications first approved by the Responsible Authority –Manager, Engineering Services.

7. All necessary approvals and permits are to be first obtained from Council and the work performed to the satisfaction of the Manager, Engineering Services and VicRoads.

8. Waste storage and collection should be to the satisfaction of the Principal Engineer, Services and a condition to this effect should be included in any permit issued.

9. Glazing materials used on all external walls must be of a type that does not reflect more than 15% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

10. The site shall be landscaped within 6 months of the completion of the development to the satisfaction of the Responsible Authority and the areas concerned must be subsequently maintained to the satisfaction of the Responsible Authority.

11. All garbage and other waste material must be stored in an area set aside for such purpose to the satisfaction of the Responsible Authority.

12. This permit will expire if one of the following circumstances applies:

- the development is not started within two years of the date of this permit.
- the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

NOTES:

The residents who will occupy this development will not receive parking permits and will not be exempt from any on-street parking restrictions in the area. Council will not change the parking restrictions to accommodate the servicing/delivery/parking needs of the development, as the restrictions are designed to cater for a number of other competing demands and access requirements.

14. DECISION

The Lord Mayor, Deputy Lord Mayor and Councillors were notified of the above recommendation on 3 September 2010.

On 7 September 2010 Councillor Shanahan requested that the application be presented to the Future Melbourne Committee for further consideration.

Meagan Merritt
Senior Planning Officer
City of Melbourne
17 September 2010

Clause 55 Assessment

Assessment comments are included in italics. Extracts from Clause 55 in the table below are abbreviated, with the assessment made with reference to the full text as found in the Scheme.

55.02-1 NEIGHBOURHOOD CHARACTER & INFRASTRUCTURE	
55.02-1 NEIGHBOURHOOD CHARACTER	
Objecti	<ul style="list-style-type: none"> To ensure design respects the existing neighbourhood character or contributes to preferred neighbourhood character To ensure that development responds to features of site and surrounds
Standard B1	<ul style="list-style-type: none"> Must be appropriate to neighbourhood and site Must respect existing or preferred neighbourhood character
	<i>The area is of a mixed character. The new works do not dominate the surrounding heritage dwellings.</i>
55.02-2 RESIDENTIAL POLICY	
Objecti	<ul style="list-style-type: none"> In accordance with housing policies of SPPF & LPPF Support medium densities where development can take advantage of public transport and community infrastructure
Standard B2	<ul style="list-style-type: none"> Must include statement describing how development is consistent with any relevant policy for housing in SPPF and LPPF
	<i>The building with additions will make a positive contribution to the street. The setbacks shown on the revised drawings ensure the landscape front garden character is maintained. The height, scale and bulk of three storeys is considered appropriate for this residential context, particularly on a corner site.</i>
55.02-3 DWELLING DIVERSITY	
Obj	<ul style="list-style-type: none"> To encourage range of dwelling sizes and types in developments of 10 or more dwellings
	<ul style="list-style-type: none"> Developments of 10 or more dwellings to provide range of dwelling types, including varied number of bedrooms, and at least one dwelling with kitchen / bathroom etc at ground level.
	N/A
55.02-4 INFRASTRUCTURE	
Objec	<ul style="list-style-type: none"> To ensure development is provided with appropriate utilities and infrastructure To ensure development does not unreasonably overload the capacity of utility services and infrastructure
Standard B4	<ul style="list-style-type: none"> Should be connected to reticulated services (sewerage, drainage, electricity, gas) Should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads In areas where utilities / infrastructure have little or no spare capacity, development should provide for upgrading or mitigation of impacts
	<i>There is no evidence to suggest that the additional dwellings will overload existing infrastructure.</i>
55.02-5 INTEGRATION WITH STREET	
O	<ul style="list-style-type: none"> To integrate layout with street

Standard B5	<ul style="list-style-type: none"> Should provide adequate vehicle and pedestrian links, that maintain or enhance local accessibility Should be oriented to front existing and proposed streets High fencing to be avoided if practical Development next to existing public open space should be laid out to complement it. 		
	<p><i>Dwellings fronting each street are an improvement upon the current street activation. The single vehicle access-way ensures pedestrian amenity. The door to the basement will be required to be permeable to ensure pedestrian amenity. The development is designed to complement the large median strips and round about at the end of Dryburgh Street.</i></p>		
55.03 – SITE LAYOUT AND BUILDING MASSING			
55.03-1 STREET SETBACK			
Obj	<ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 		
Standard B6	Context	Setbacks	Complies?
	Corner	<p>Front: If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	<p><i>The adjoining building at 277 Dryburgh Street is setback 6.4m from the street. The proposal is constructed to the boundary at the corner and steps back to a 4m setback adjacent to 277 Dryburgh Street. A permit condition will require a setback of 6.5m for a distance of 1.8m from the side boundary to improve the transition to the adjoining dwelling.</i></p>
Corner	<p>Side: Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>	<p>The building is proposed to be setback 1.2m from Dryburgh Street at ground floor level but to be constructed to the street edge at first floor.</p> <p>The nearest property on Dryburgh Street (No.504) is not adjacent to the site however this building (and the row of terraces in which it sits) is setback 1.2m from the street.</p> <p>It is proposed to introduce by condition a setback the section of the first floor closest to this row of terraces by 1.2m in order to improve transition.</p>	
55.03-2 BUILDING HEIGHT			
S Obj	<ul style="list-style-type: none"> To ensure that the height of buildings respect the existing or preferred neighbourhood character. 		
S	Requirement		Complies?

	If slope at any cross section wider than 8m of the building site is 2.5 degrees or more, <u>10m</u> . Zone may specify variations.	Yes
	<i>The land slopes accommodating this slope the building reaches 9.76m at the north west corner, given the slope of the land the proposal complies.</i>	
55.03-3 SITE COVERAGE		
Obj	<ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	
Standard B8	Requirement	Complies?
	60% maximum site coverage. Zone may specify variations	<i>In part</i>
	<i>The standard is not met as the coverage proposed is 79%. The objective is however considered to be met as the character of this area is to have dwellings which cover most of the site. There remain adequate setbacks from the site boundaries to ensure the proposal is consistent with the neighbourhood character.</i>	
55.03-4 PERMEABILITY		
Obj	<ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	
Standard B9	Requirement	Complies?
	At least 20% of site with impervious surfaces.	<i>No</i>
	<i>There is adequate open space near by including the large landscaped areas along Dryburgh Street to accommodate run off.</i>	
55.03-5 ENERGY EFFICIENCY		
Objec	<ul style="list-style-type: none"> To achieve and protect energy efficient dwellings To ensure the orientation and layout reduce fossil fuel energy use and make appropriate use of daylight / solar energy 	
Standard B10	<ul style="list-style-type: none"> Orientated to make appropriate use of solar energy Sited and designed to ensure that energy efficiency of adjoining existing dwellings not unreasonably reduced. Living areas and POS on north if practicable. Solar access to north facing windows maximised. 	
	<i>The dwellings are orientated to make use of solar energy. The proposal allows for north facing balconies and living spaces orientated to the north and north west. The verandahs and balconies also assist.</i>	
55.03-6 OPEN SPACE		
Obj	<ul style="list-style-type: none"> To integrate layout with any public and communal open space provided in or adjacent to the development. 	
Standard	<p>Any public or communal open space should:</p> <ul style="list-style-type: none"> Be substantially fronted by dwellings where appropriate Provide outlook for as many dwellings as practicable Be designed to protect any natural features Be accessible and useable 	

	<i>No communal open space is proposed.</i>
55.03-7 SAFETY	
O	<ul style="list-style-type: none"> To ensure the layout provides for safety and security of residents and property.
Standard B12	<ul style="list-style-type: none"> Entrances should not be obscured or isolated from the street and internal access ways Planting which creates unsafe spaces along streets and access ways should be avoided Should provide good lighting, visibility and surveillance Private spaces should be protected from use as public thoroughfares
Standard B12	<i>The proposal provides for and increases opportunities for surveillance and visibility. The entrances are visible</i>

55.03-8 LANDSCAPING	
Objective	<ul style="list-style-type: none"> To encourage development that respects landscape character of neighbourhood To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance To provide appropriate landscaping To encourage retention of mature vegetation on site.
Standard B13	<ul style="list-style-type: none"> Landscape and layout design should <ul style="list-style-type: none"> Take into account the soil type and drainage patterns of the site Allow for intended vegetation growth and structural protection of buildings In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals Provide a safe, attractive and functional environment for residents Should provide for the retention or planting of trees, where these are part of the character of the neighbourhood Should provide for the replacement of any significant trees removed in the 12 months prior to the application Should specify landscape themes, vegetation (location and species), paving and lighting
Standard B13	<i>Landscaping is proposed at the front of the building, this will soften the appearance of the building.</i>

55.03-9 ACCESS	
Objective	<ul style="list-style-type: none"> To ensure vehicle access to and from a development is safe, manageable and convenient To ensure the number and design of vehicle crossovers respects the neighbourhood character

Standard B14	<ul style="list-style-type: none"> • Accessways should: <ul style="list-style-type: none"> - Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network. - Be designed to ensure vehicles can exit a development in a forwards direction if the accessway serves 5 or more car spaces, 3 or more dwellings, or connects to a road in a Road Zone. - Be at least 3m wide. - Have an internal radius of at least 4m at changes of direction. - Provide a passing area at the entrance that is at least 5m wide and 7m long if the accessway serves 10 or more spaces and connects to a road in a road zone. • The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> - 33% of the street frontage if the width of the street frontage is more than 20m; or - 40% of the street frontage if the width of the street frontage is less than 20m. • No more than one single-width crossover should be provided for each dwelling fronting a street • Location of crossovers should maximise retention of on-street parking spaces • Number of access points on to Road Zone should be minimised • Developments must provide for access for service, emergency and delivery vehicles. <p><i>The proposal uses existing access conditions and complies.</i></p>
55.03-10 PARKING LOCATION	
Objec	<ul style="list-style-type: none"> • To provide for convenient parking for residents and visitor vehicles • To avoid parking and traffic difficulties in the development and the neighbourhood • To protect residents from vehicular noise within developments
Standard B15	<ul style="list-style-type: none"> • Car parking facilities should: <ul style="list-style-type: none"> - Be reasonably close and convenient to dwellings and residential buildings; - Be secure; - Be designed to allow safe and efficient movements within the development. - Be well ventilated if enclosed. • Large parking areas should be broken up with trees, buildings or different surface treatments. • Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from habitable room windows. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway. <p><i>The car parks are in safe convenient locations well connected to the dwellings. Subject to the proposed changes cars can efficiently move in and out of the garage, as approved by Council's Engineering Services Group.</i></p>
55.03-11 PARKING PROVISION	
Objectiv	<ul style="list-style-type: none"> • To ensure that car and bicycle parking for residents and visitors is appropriate to the needs of residents • To ensure that the design of parking and access areas is practical and attractive and that these areas can be easily maintained

Standard B16	<ul style="list-style-type: none"> • Car parking for residents should be provided as follows: <ul style="list-style-type: none"> - One space for each 1 or 2 bedroom dwelling; - Two spaces for each 3 or more bedroom dwelling, with one space under cover. Studies or studios that are separate rooms must be counted as bedrooms. • Developments of 5 or more dwellings should provide: <ul style="list-style-type: none"> - One space clearly marked as visitor parking for every 5 dwellings. - Bicycle parking spaces. • Car spaces and accessways should have the minimum dimensions specified in Table B2. • A building may project into a car space if it is at least 2.1m above the space. • Car spaces in garages, carports or otherwise constrained by walls, should be at least 6m long and have an internal width of 3.5m for a single space, or 5.5m for a double space. • Car parking facilities should: <ul style="list-style-type: none"> - Be designed for efficient use and management; - Minimise the area of hard surface; - Be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site; and - Be lit. <p><i>The proposal generates a requirement for 10 resident car parking spaces and 1 visitor space. The parking provision is for 9 spaces (one to be deleted by condition) 8 spaces and no visitor spaces. The dwellings have at least one space two will have two spaces This is acceptable given the proximity to public transport and the low level of car ownership in this area. This matter is further discussed in the report.</i></p>
55.04 AMENITY IMPACTS	
55.04-1 SIDE AND REAR SETBACKS	
Objec	<ul style="list-style-type: none"> • To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.
Standard B17	<ul style="list-style-type: none"> • New building not on, or within 150mm of boundary should be setback from side or rear boundaries 1m, plus 0.3m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m. Zone may vary. • Sunblinds, verandahs, porches, eaves, gutters etc, may encroach not more than 0.5m into the setbacks of this standard. • Landings with an area of not more than 2m², and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard. <p><i>The building is mostly setback from the adjoining property at 277 Flemington Rd 4.2-4.9m. Rescode requires 4.09m. The proposal therefore complies.</i></p>
55.04-2 WALLS ON BOUNDARIES	
Obj	<ul style="list-style-type: none"> • To ensure that the location, length, and height of a wall on a boundary respects existing or preferred neighbourhood character and limits impact on amenity of existing dwellings.

Standard B18	<ul style="list-style-type: none"> New building on or within 150mm of the boundary or a carport constructed on or within 1m of a side or rear boundary should not abut the boundary for a length of more than: <ul style="list-style-type: none"> 10 metres plus 25 percent of the remaining length of the boundary of an adjoining lot, or Where there are existing / simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed carports Whichever is the greater. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls would result in the effective height of the wall or carport being less than 2m on the abutting property boundary. A building on a boundary includes a building up to 150mm from a boundary. New wall on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary should not exceed an average of 3m height, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall.
	<p><i>The boundary wall of dwelling 1 runs for a length of 7.4m, this will be further reduced by a permit condition. The allowable length is 16.3m the proposal therefore complies. The wall height exceeds the standard which allows for 3m. This is acceptable given the orientation of the land, the minimal setback of the adjoining property and the minimal off site amenity impacts caused by the wall.</i></p>
55.04-3 DAYLIGHT TO EXISTING WINDOWS	
O	<ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows.
Standard B19	<ul style="list-style-type: none"> Buildings opposite an existing habitable room window should provide for a light court to the existing window, of at least 3m² and 1m clear to the sky. The area may include land on the abutting lot. Walls or carports more than 3m height opposite an existing habitable room window <u>should</u> be setback from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground level, the wall height is measured from the floor level of the room containing the window.
	<p><i>The windows on the adjoining property have a setback on the their own site as well as a setback to the proposed building.</i></p>
55.04-4 NORTH FACING WINDOWS	
O	<ul style="list-style-type: none"> To allow adequate solar access to existing north facing windows.
Standard B20	<ul style="list-style-type: none"> If a north-facing habitable room window of an existing dwelling is within 3m of a boundary of an abutting lot, a building should be setback: <ul style="list-style-type: none"> 1m, plus 0.6m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m, for a distance of 3m from the edge of each side of the window. A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.
	N/A
55.04-5 OVERSHADOWING OPEN SPACE	

Obj	<ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space.
Standard B21	<ul style="list-style-type: none"> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m² with a minimum dimension of 3m, whichever is the lesser area, or the secluded open space should receive a minimum of 5 hours sunlight between 9am and 3pm at 22 September. If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. <p><i>The proposal complies. Most of the shadow falls within the street or the existing shadows. The adjoining properties receive 5 hours of sunlight.</i></p>
55.04-6 OVERLOOKING	
O	<ul style="list-style-type: none"> To limit views into secluded private open space and habitable room windows.
Standard B22	<ul style="list-style-type: none"> Habitable room windows, balconies, terraces etc should be located and designed to avoid direct view to secluded private open space and habitable room windows of an existing dwelling within 9m distance, and a 45 degree arc from the window , balcony etc. The window, balcony etc may: <ul style="list-style-type: none"> Be offset at least 1.5m form the edge of one window to the edge of the other; or Have sill heights, obscure glazing or permanent screens of al least 1.7m above floor level. Obscure glazing may be openable provided it does not allow direct views. This standard does not apply to a new habitable room window, balcony, terrace etc which faces a property boundary where there is a visual barrier at least 1.8m high and he floor level of the habitable room, balcony, terrace etc is less than 0.8m above ground level at the boundary. <p>There is some potential for overlooking from the first floor windows, balconies and roof decks on the subject site into the secluded private open space of 277 Dryburgh Street. The potential for overlooking has however been addressed at first floor and to the majority of the terraces by the provision of jarrah privacy screens which sit a minimum of 1.7m above floor level. A condition of permit will require additional screening to the roof deck of unit 6 and that all screens be nominated as no more than 25 percent transparent (in accordance with the ResCode standard).</p>
55.04-7 INTERNAL VIEWS	
Obj	<ul style="list-style-type: none"> To limit views into secluded private open space and habitable room windows of dwellings and adjoining residential buildings within a development.
Standard	<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p> <p><i>There are no opportunities for internal views.</i></p>
55.04-8 NOISE IMPACTS	
Obj	<ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise.

Standard B24	<ul style="list-style-type: none"> Noise sources such as mechanical plant, should not be located near bedrooms or immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.
	<i>There will be no unreasonable noise sources created by the proposal.</i>
55.05 ON SITE AMENITY AND FACILITIES	
55.05-1 ACCESSIBILITY	
Obj	<ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments.
Standard B25	Entries to dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.
	<i>A number of the units are accessible by persons with limited mobility.</i>
55.05-2 DWELLING ENTRY	
Obj	<ul style="list-style-type: none"> To provide each dwelling residential building with its own sense of identity.
Standard	<ul style="list-style-type: none"> Entries should be visible and clearly identifiable from streets and public areas. Entries should provide shelter, a sense of address, and a transitional space around the entry.
	<i>The varied treatments of the ground floor screens, landscaping and verandahs offer opportunities for variation between the dwellings, sufficient to provide their own sense of identity.</i>
55.05-3 DAYLIGHT TO NEW WINDOWS	
Obj	<ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows.
Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> an outdoor space clear to the sky or a light court with a minimum area of 3m² and minimum dimension of 1m, not including land on an abutting lot, or a verandah provided it is open for at least 1/3rd of its perimeter, or a carport provided it has two or more open sides and is open for at least 1/3rd of its perimeter.
	<i>The majority of habitable room windows overlook the street which acts as a light court. Windows facing east are well setback from the boundary and comply.</i>
55.05-4 PRIVATE OPEN SPACE	
Obj	<ul style="list-style-type: none"> Provide adequate private open space for the reasonable recreation and service needs of residents
Standard B28	A dwelling or residential building should have private open space of: <ul style="list-style-type: none"> 40m² with one part to be secluded private open space at the side or rear with a minimum area of 25m² and convenient access from a living room; or A balcony of 8m² with a minimum width of 1.6m and convenient access from a living room; or A roof top area of 10m² with a minimum width of 2m and convenient access from a living room.

	<i>Each dwelling has excess of 8m² in varying locations – with five of the dwellings being provided with generous roof top terraces.</i>
55.05-5 SOLAR ACCESS TO PRIVATE OPEN SPACE	
Obj	<ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings.
Standard B29	<ul style="list-style-type: none"> The private open space should be located on the north side of the dwelling, or residential building if appropriate. The southern boundary of secluded private open space should be setback from any wall on the north of the space at least (2 +0.9h), where 'h' is the height of the wall.
	<i>The orientation allows for limited solar access to the decks, however the POS will receive adequate access to daylight.</i>
55.05-6 STORAGE	
O	<ul style="list-style-type: none"> To provide adequate storage for each dwelling.
Standard B30	<ul style="list-style-type: none"> Each dwelling should have convenient access to at least 6m³ of externally accessible, secure storage space.
	<i>Each car parking space in the garage has a storage area.</i>
55.06-1 DESIGN DETAIL	
Obj	<ul style="list-style-type: none"> To encourage design detail that respects existing or preferred neighbourhood character
Standard B31	<ul style="list-style-type: none"> Design (including: facade articulation/ detailing; window and door proportions; roof form; and verandahs, eaves and parapets) should respect existing and preferred neighbourhood character. Garages and carports should be visually compatible with the development and existing or preferred neighbourhood character.
	<i>The design is considered complementary to the neighbourhood character.</i>
55.06-2 FRONT FENCES	
Obj	<ul style="list-style-type: none"> To encourage front fence design that respects existing or preferred neighbourhood character
Standard B32	<ul style="list-style-type: none"> The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. A front fence within 3m of a street should not exceed: <ul style="list-style-type: none"> 2m height for streets in a Road Zone, Category 1; or 1.5m height for any other street. Zone can specify variations.
	<i>Flemington Road is a Road Zone at the highest point the fence is 2m in height.</i>
55.06-3 COMMON PROPERTY	
Objec	<ul style="list-style-type: none"> To ensure that communal open space, parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.
	<ul style="list-style-type: none"> Developments should clearly delineate public, communal, and private areas Common property, where provided, should be functional and capable of efficient management.

	N/A
55.06-4 SITE SERVICES	
Obj	<ul style="list-style-type: none"> • To ensure that site services can be installed and easily maintained. • To ensure that site facilities are accessible, adequate and attractive.
Standard B34	<ul style="list-style-type: none"> • Design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. • Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. • Bin and recycling enclosures should be located for convenient access by residents. • Mailboxes should be provided and located for convenient access as required by Australia Post. <p><i>Bin enclosures and mail boxes are required to be shown as a permit condition</i></p>