

APPLICATION FOR PLANNING PERMIT : TP-2012-923
4 PRIDHAM STREET, KENSINGTON

4 June 2013

Presenter: Daniel Soussan, Planning Coordinator

Purpose and background

1. This application is presented to the Future Melbourne Committee at the request of Councillor Leppert.
2. The purpose of this report is to advise the Committee of an application to construct a three-storey residential building at 4 Pridham Street, Kensington (refer Attachment 2 – Locality Plan and Attachment 3 – Proposed Plans). The proposal contains nine dwellings and six car spaces provided by three two-car stackers.
3. The subject site is located on the western side of Pridham Street to the south of Racecourse Road. It is approximately 446.5 square metres in area.
4. The site is located in a Residential 1 Zone (R1Z) and is unaffected by any overlays.
5. Notice of the application was sent to the owners and occupiers of surrounding properties on 14 December 2012. Two public notices were also placed on site from 15 December 2012 for 28 days rather than the standard 14 days due to the Christmas period.
6. Four objections were received in response to the notification. The primary concerns of objectors relate to the scale and design detailing of the building, lack of car parking, impact of the building upon the streetscape character and the impact on the amenity of the adjoining properties.
7. Following the receipt of these objections the applicant amended the proposal by including secured covered bicycle storage, modifications to the car stackers and a redesign of the proposed third floor by increasing the side setback to the north and shifting the unit to the west. Formal plans were substituted on 7 March 2013. These plans were readvertised to the objectors on 14 March 2013 by mail. None of the objections have been withdrawn.

Key issues

8. The key issues for consideration are the scale of the proposed building relative to the adjoining dwellings and the impact of the proposed building upon the general amenity of the adjoining dwellings.
9. The proposed conditions seek to reduce the height and prominence of the upper floor when viewed from Pridham Street to ensure that the building better relates to the scale of adjoining dwellings.
10. Conditions requiring the lowering of the building, the removal of the upper level en-suite and greater setbacks to the built form at first floor level ensure that the extent of shadows cast over the primary private open space at the rear of the adjoining dwelling is not significantly increased beyond that cast by existing conditions.
11. The applicant has submitted plans which seek to demonstrate the changes sought by the condition 1 requirements (refer Attachment 4 – Condition 1 Plans).

Recommendation from management

12. That the Future Melbourne Committee issue a Notice of Decision to Grant a Permit subject to the conditions included in the delegate's report (refer Attachment 5 - Delegate's Report).

Attachments:

1. Supporting Attachment
2. Locality Plan
3. Floor plans
4. Condition 1 Plans
5. Delegate's Report

SUPPORTING ATTACHMENT

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the Responsible Authority must give the applicant and each objector a notice in the prescribed form of its decision to either grant a permit or refuse 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 or withdrawn.
3. In making its decision, section 60(1)(c) of the Act requires the Responsible Authority to consider, amongst other things, all objections and other submissions which it has received.

Finance

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

Conflict of interest

5. 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

6. Formal notification (advertising of the planning application) was carried out for the application. In response to objections the applicant formally amended the application plans – which were then circulated to the objectors.

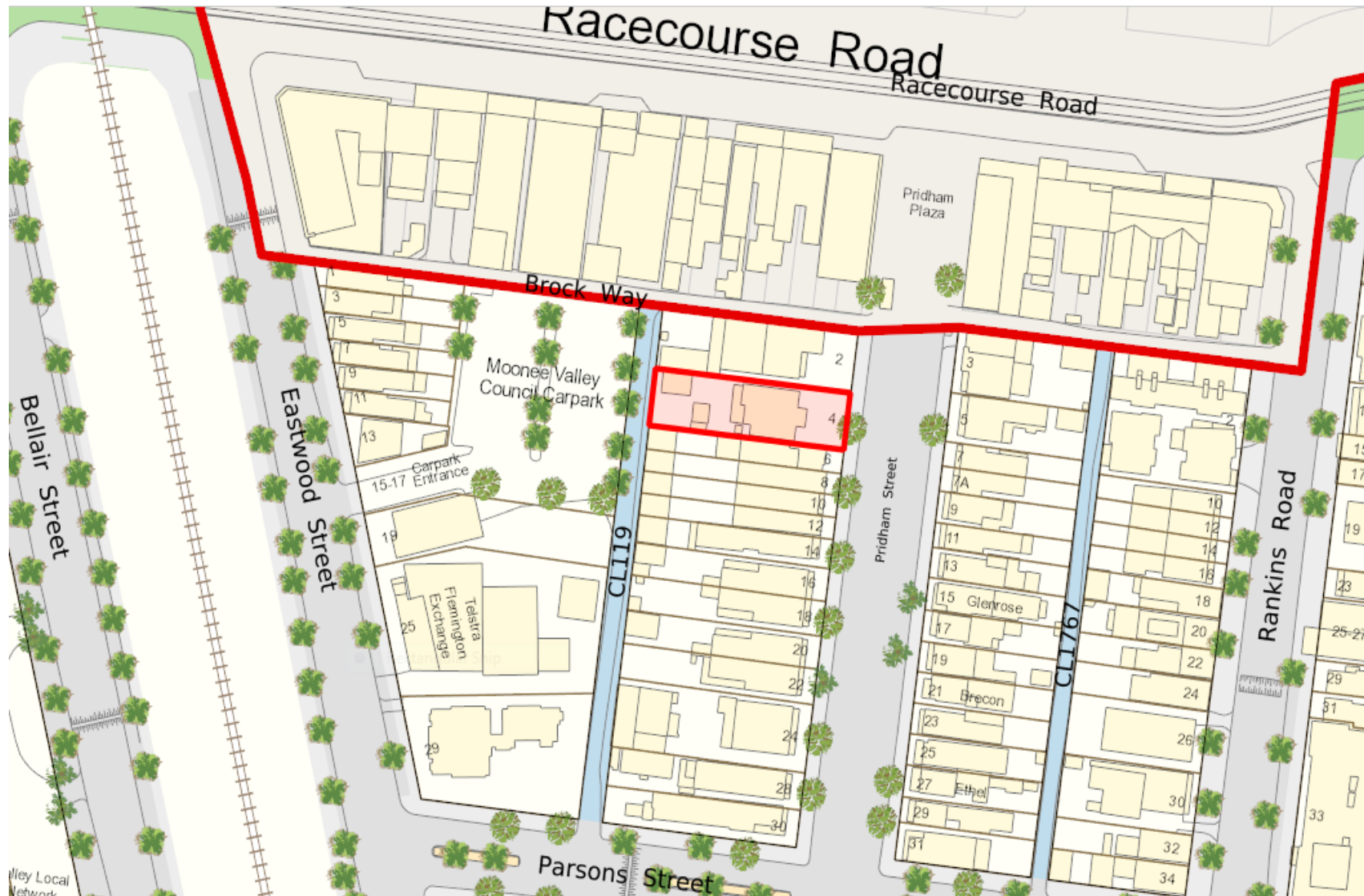
Relation to Council policy

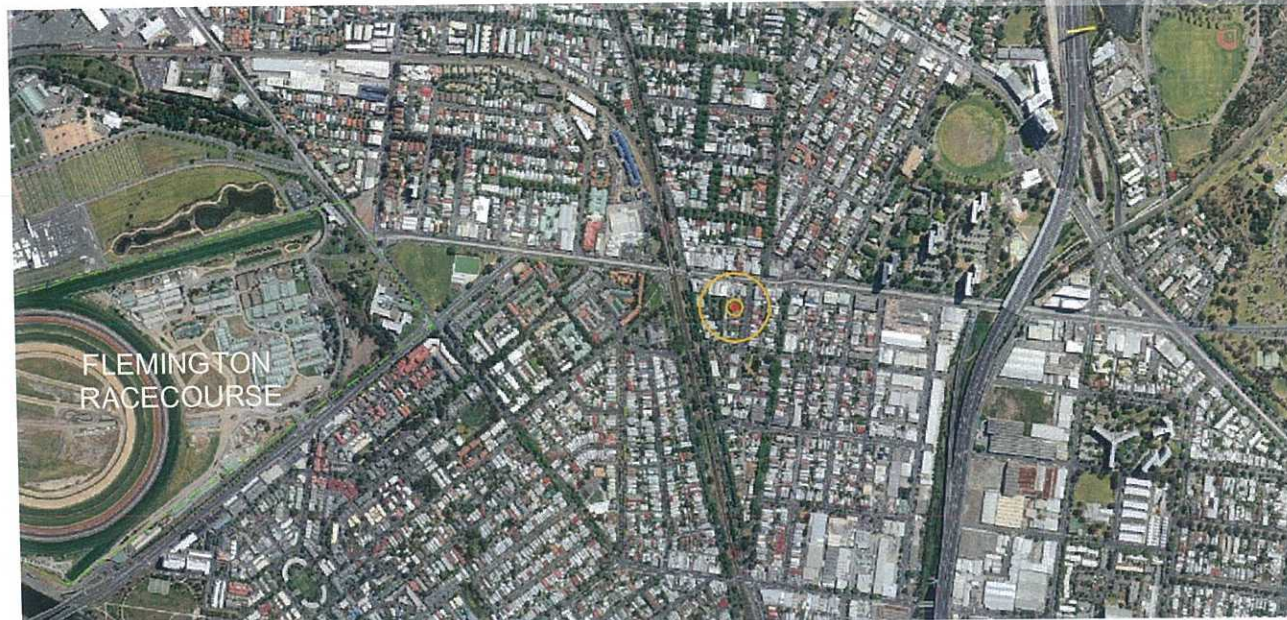
7. Relevant Council policies are discussed in the attached officer report (refer Attachment 5).

Environmental sustainability

8. The applicant provided a Melbourne Water STORM assessment with the application that indicated the 3,600 litre rainwater tanks ensure the proposed development scores a rating of 170%. The building has been designed to allow for natural cross ventilation of apartments and there is no reliance on borrowed light or air for any of the habitable rooms in the development. All areas of private open space have a northerly aspect and the proposal provides for natural light to all dwellings.

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Locality Plan : 4 Pridham Street, Kensington





aerial map: not to scale

4 Pridham Street, KENSINGTON 3031

M Five Group Pty Ltd

client
DEVELOPMENT
 - 7 MAR 2013
PLANNING
 project

Multi-Residential Project



aerial map: not to scale

DWG. NO.	DESCRIPTION	SCALE
TP01B	COVER SHEET / INDEX / AERIAL MAPS	NTS
TP02	3D IMAGES / AREAS / FINISHES	NTS
TP03	NEIGHBOURHOOD & SITE DESCRIPTION	1:250
TP04	DESIGN RESPONSE / ROOF PLAN	1:250
TP05	EXISTING / PROPOSED STREETSCAPE	1:200
TP06B	PROPOSED GROUND FLOOR PLAN	1:100
TP07B	PROPOSED FIRST FLOOR PLAN	1:100
TP08B	PROPOSED SECOND FLOOR PLAN	1:100
TP09B	PROPOSED ROOF PLAN	1:100
TP10B	PROPOSED NORTH/EAST ELEVATIONS	1:100
TP11B	PROPOSED SOUTH/WEST ELEVATIONS	1:100
TP12	SHADOW ANALYSIS DIAGRAMS 9AM/10AM	1:250
TP13	SHADOW ANALYSIS DIAGRAMS 12PM/3PM	1:250
TP14	PROPOSED MATERIALS SCHEDULE	NTS

index



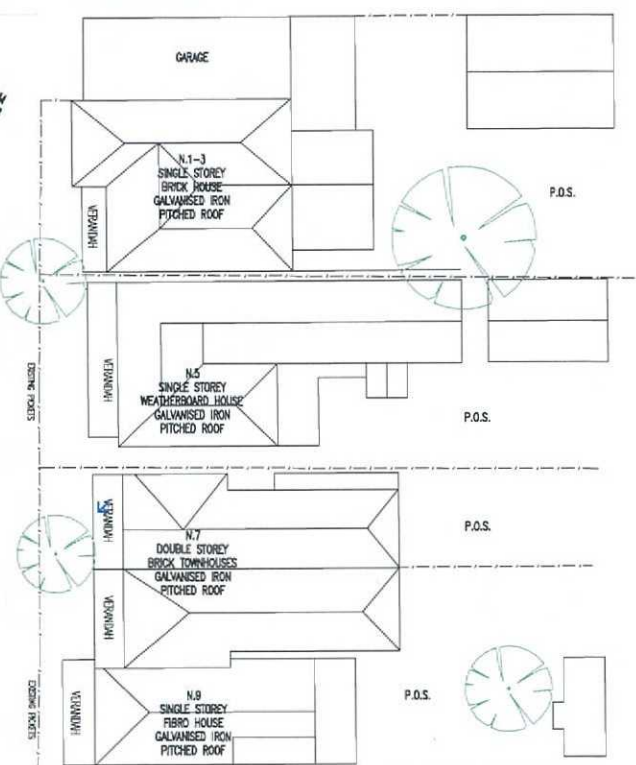
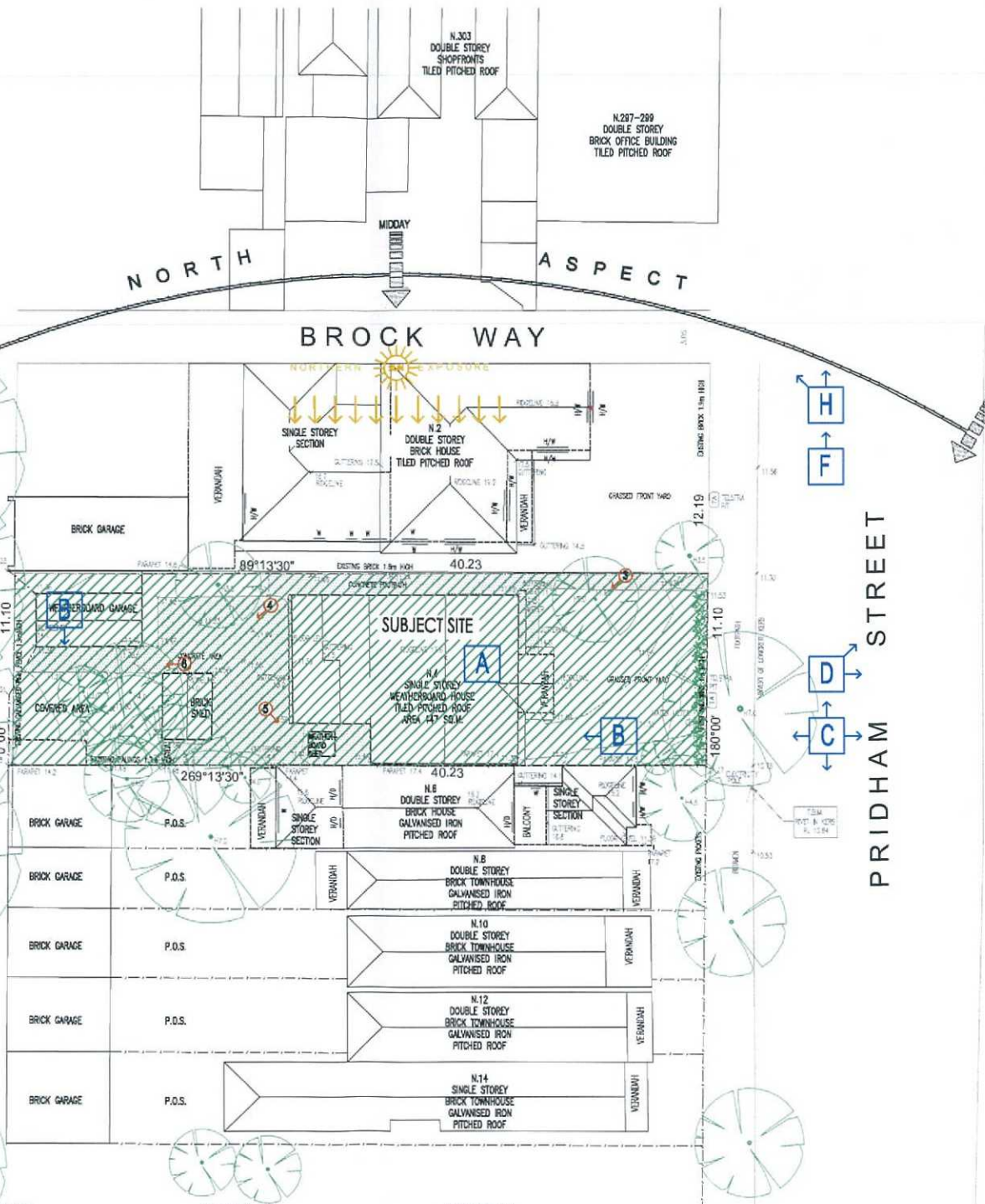
B	S57A RE-SUBMISSION	MS	05.03.13
A	S57A SUBMISSION	MS	18.02.13
-	TOWN PLANNING SUBMISSION	MS	21.11.12
NO.	DESCRIPTION	BY:	DATE

NEIGHBOURHOOD & SITE DESCRIPTION

- A** 4 PRIDHAM STREET IS CURRENTLY OCCUPIED BY A SINGLE WEATHERBOARD HOUSE ON A LOT NUMBER 1 TP684521. IT IS LOCATED WITHIN A RESIDENTIAL ZONE 1 (R1Z) OF THE LOCAL GOVERNMENT COUNCIL OF MELBOURNE. THERE ARE NO PLANNING OVERLAYS.
 - B** THE SITE SLOPES EAST TO WEST WITH AN APPROXIMATE FALL OF 230MM EAST TO WEST AND 300MM NORTH TO SOUTH.
 - C** THE SITE IS SURROUNDED BY SENSITIVE RESIDENTIAL INTERFACE TO SOUTH OF PRIDHAM STREET, IN REGARDS TO FACING WINDOWS AND OVERLOOKING/OVERSHADOWING OF PRIVATE OPEN SPACES. THE SITE IS IN CLOSE PROXIMITY TO BUSINESS 1 ZONE INTERFACE ALONG RACECOURSE ROAD, WITH A HIGHER DENSITY OF DWELLINGS AND SHOP ARRANGEMENTS.
 - D** THE NEAREST MAJOR PUBLIC OPEN SPACES INCLUDE THE MARIBYRNONG RIVER AND THE SURROUNDING PARKS SUCH AS FOOTSCRAY PARK, QUARRY PARK & NEMELLS PADDOCK WHICH ARE LOCATED WITHIN 2KM TO THE WEST. OTHER MAJOR PARKS INCLUDE THE ROYAL PARK & THE ZOOLOGICAL GARDEN WHICH ARE 1.3KM TO THE EAST. THE NEAREST PARKS & RESERVES ARE WITHIN 700M RADIUS AND INCLUDE THE WOMEN'S PEACE GARDENS LOCATED SOUTH-WEST & DEBNEY'S PARK LOCATED NORTH-EAST.
 - E** PRIMARY EDUCATIONAL FACILITIES ARE LOCATED WITHIN A RADIUS OF 390M-720M AND INCLUDE KENSINGTON PRIMARY SCHOOL TO SOUTH-WEST, DEBNEY MEADOWS PRIMARY TO NORTH-EAST & HOLY ROSARY PRIMARY TO THE SOUTH. KENSINGTON COMMUNITY HIGH SCHOOL IS LOCATED 370M TO THE WEST & ST ALDYSSUS COLLEGE 1.2KM SOUTH-EAST. THE UNIVERSITY OF MELBOURNE IS ONLY 2.4KM SOUTH-EAST.
 - F** NEAREST COMMERCIAL PRECINCTS ARE LOCATED ALONG RACECOURSE ROAD SHOPPING STRIP, WITHIN A WALKING DISTANCE OF 90M TO THE NORTH. NEWMARKET PLAZA IS LOCATED 290M NORTH-WEST.
 - G** FLEMINGTON MEDICAL CENTRE IS LOCATED 220M NORTH-EAST, WHILE THE MAJOR HOSPITALS ARE THE ROYAL CHILDRENS HOSPITAL, 1.7KM TO THE EAST AND THE ROYAL MELBOURNE & ROYAL WOMENS HOSPITAL 2.5KM TOWARDS SOUTH-EAST.
 - H** THE NEAREST PUBLIC TRANSPORT IS TRAM NO.57 ALONG RACECOURSE ROAD WHICH CONNECTS WEST MARIBYRNONG WITH MELBOURNE CBD NEWMARKET TRAIN STATION (ORANGE/BLACK LINE) IS LOCATED 230M NORTH-WEST. CITYLINK TOLLWAY IS ACCESSIBLE WITHIN 4KM DISTANCE TO THE EAST.
- NOTE:**
GROUND LEVELS AND CONTOUR LINES ARE TO THE AUSTRALIAN HEIGHT DATUM AND BASED ON SURVEYORS PLAN. DIMENSIONS ARE IN METRES.

LEGEND

- T.B.M.
- TREE (TRUNK & SPREAD)
- DENOTES TREE APPROXIMATELY 5 METRES HIGH
- ELECTRICITY POLE
- TELSTRA PIT
- GAS METER
- WATER METER
- HABITABLE WINDOW
- WINDOW
- DENOTES DIRECTION AND POSITION OF PHOTO FOUR
- APPROXIMATE LOCATION OF RIDGELINES/GUTTERS (UP)



DEVELOPMENT
23 NOV 2012



1 NEIGHBOURHOOD & SITE CONTEXT
SCALE 1:250 @ A2



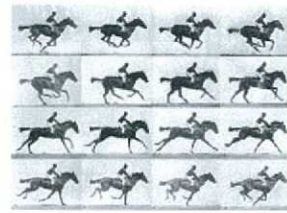
DESIGN RESPONSE

- A** 4 PRIDHAM STREET IS CURRENTLY OCCUPIED BY A SINGLE WEATHERBOARD HOUSE ON A LOT NUMBER 1 TP984521. IT IS LOCATED WITHIN A ZONE OF THE LOCAL GOVERNMENT COUNCIL OF MELBOURNE. THE PROPOSED DEVELOPMENT CONSISTS OF 9 RESIDENTIAL UNITS OVER 3 LEVELS.
- B** THE CONCEPT FOR THE PROPOSAL IS INSPIRED BY SITE CONTEXT, ESPECIALLY ITS PROXIMITY TO FLEMINGTON RACEDOURSE. THIS CREATES A SENSE OF PLACE FOR RESIDENTS/VISITORS TO THE DEVELOPMENT AND TO THE NEIGHBOURS.

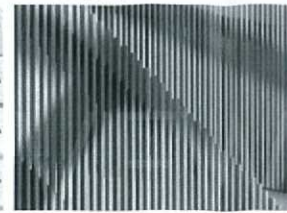
THE DESIGN TAKES FROM THE ABSTRACT CONCEPT OF HORSE RACING THROUGH THE USE OF AND PLACEMENT OF MATERIALS, CREATING A SENSE OF MOVEMENT.
- C** THE MATERIAL PALETTE IS MADE OF VERTICAL GROOVED CLADDING IN HUES OF BLACK AND GREYS. VERTICAL BATTENS OVER A RENDERED WALL ARE ALLOCATED TO FRONT & SIDE FEATURE AREAS. THESE BATTENS ARE PLAYFULLY ARRANGED TO CONTRAST THE PANNING & ARE POSITIONED IN A DIFFERENT RANGE OF BREAKS IN BETWEEN, TO PROVIDE A SENSE OF MOVEMENT, LIGHT AND SHADOW.
- D** THE FORM OF THE PROPOSED DEVELOPMENT IS PRIMARILY ORTHOGONAL, WHILST THE FEATURE ENTRY IS A SERIES OF FOLDED TRIANGLES TO PROVIDE A VISUAL CLUE AND INTEREST TO THE ENTRY OF THE BUILDING. THE SENSE OF HIERARCHY CREATES FOCUS AND SPATIAL AWARENESS OF ENTRIES, PRIVATE OPEN SPACES AND PUBLIC AREAS.
- E** THE ORIENTATION OF DINING / LIVING AND BEDROOM SPACES TO THE NORTH CAPTURES NORTHERN LIGHT WITH LARGE GLASS OPENINGS. IN ADDITION PRIVATE OPEN SPACES ARE FACING NORTH AND ARE DESIGNED WITH A PERGOLA STRUCTURE WITH A GROWING ROSE CREEPER WHICH REFERENCES THE FAMOUS ROSE BUSHES AT THE FLEMINGTON RACEDOURSE.

THE PRIVATE OPEN SPACES ARE ALSO ORIENTATED TO PROVIDE A VISUAL RELIEF FOR THE NEIGHBOURS' WINDOWS AT NO. 2 PRIDHAM STREET.
- F** THE PROPOSED LANDSCAPING IS DESIGNED IN BALANCE WITH THE CONCEPT OF MOVEMENT FOR THE PROPOSAL. HARD TEXTURES OF PEBBLES AND MULCH ARE ALIGNED IN RECEDING LINES AND ROWS, INTERWOVEN WITH SOFT TEXTURES OF BUSHES AND GRASSES. THE EYE IS THEREFORE LED TO THE LINE OF THE BUILDING.

SITE CONTEXT



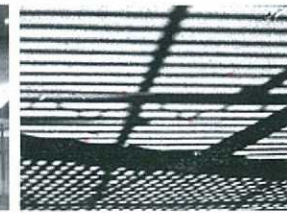
MATERIALITY



FORM



LIGHT/SHADOW



LANDSCAPING

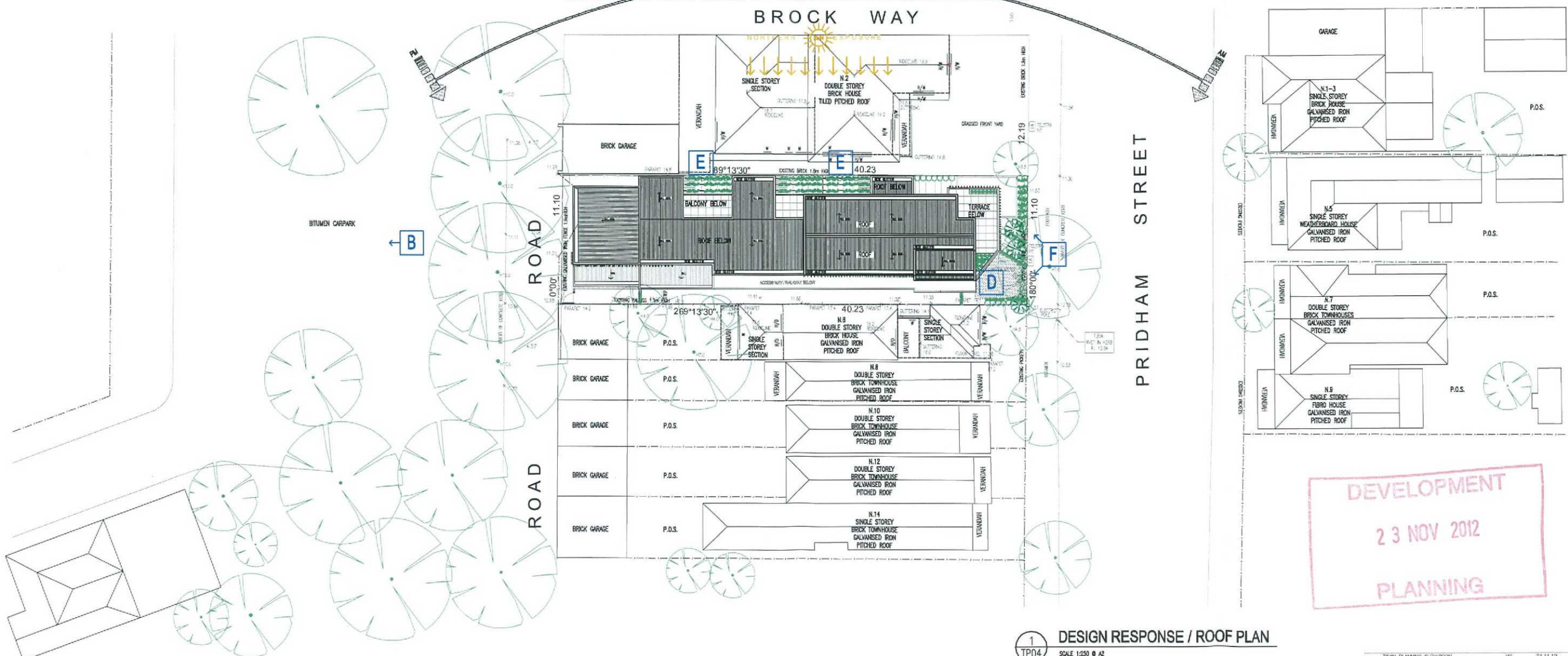


LEGEND

- T.B.M.
- TREE (TRUNK & SPREAD) DENOTES TREE APPROXIMATELY 5 METRES HIGH
- ELECTRICITY POLE
- TELSTRA PIT
- GAS METER
- WATER METER
- HABITABLE WINDOW
- WINDOW
- DENOTES DIRECTION AND POSITION OF PHOTO FOUR
- APPROXIMATE LOCATION OF RIDGELINES/GUTTERS (LP)

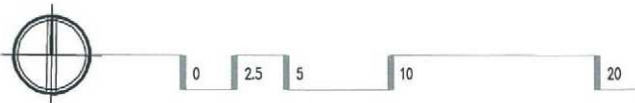
ADVERTISED PLAN
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NORTH ASPECT
BROCK WAY



DEVELOPMENT
23 NOV 2012
PLANNING

1 DESIGN RESPONSE / ROOF PLAN
TP04 SCALE 1:250 @ A2





1 EXISTING STREETScape PHOTOMONTAGE
 TPO5 SCALE 1:200 @ A2

SUBJECT SITE
 4 PRIDHAM STREET



2 PROPOSED STREETScape
 TPO5 SCALE 1:200 @ A2

DEVELOPMENT
 23 NOV 2012
 PLANNING

BROCK WAY

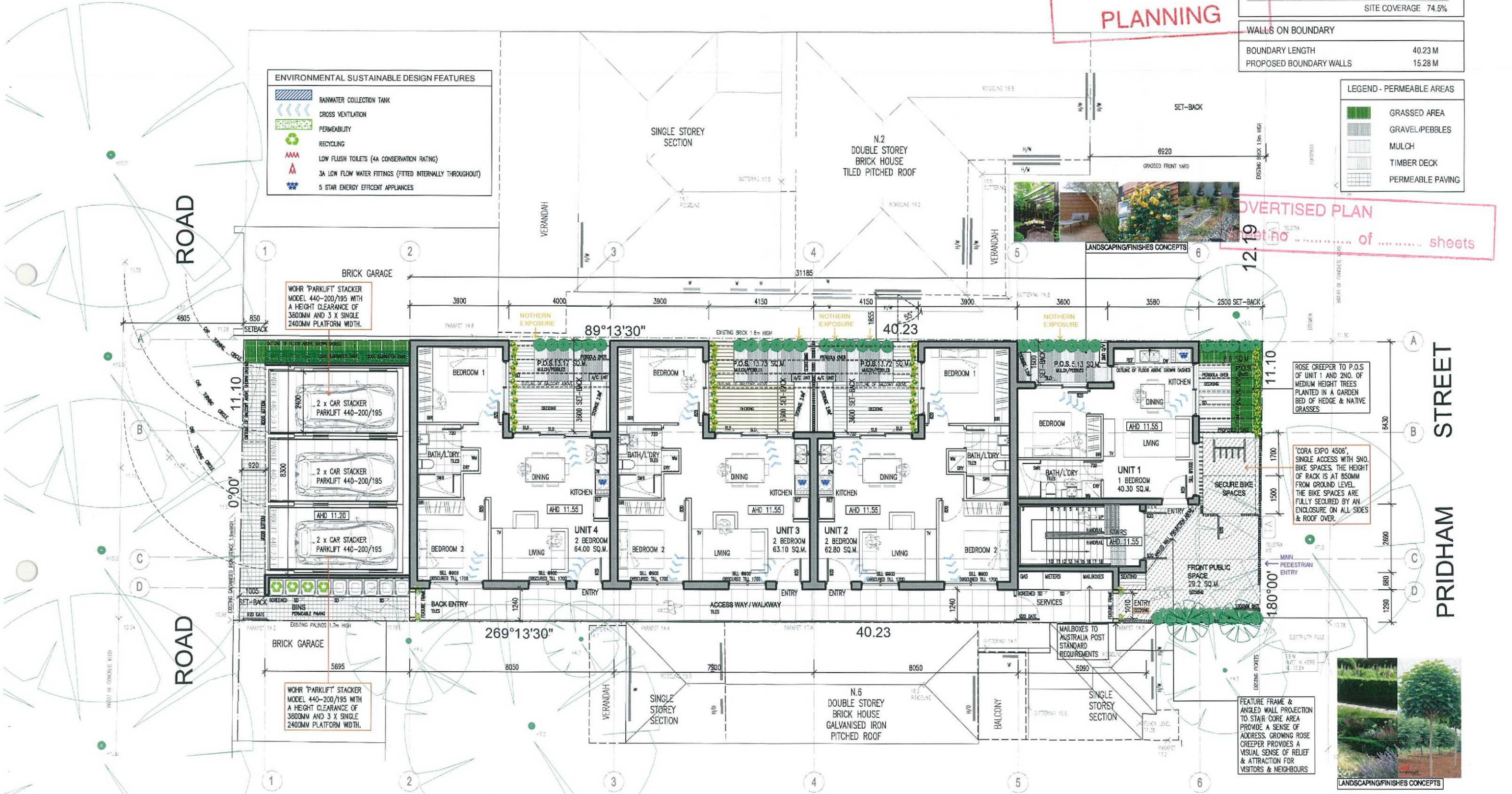
DEVELOPMENT
- 7 MAR 2013
PLANNING

AREA ANALYSIS	
SITE AREA	446.5 SQM
PROPOSED GROUND FLOOR AREA	300.6 SQM
OPEN AREA	145.9 SQM
SITE COVERAGE 74.5%	

WALLS ON BOUNDARY	
BOUNDARY LENGTH	40.23 M
PROPOSED BOUNDARY WALLS	15.28 M

- ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES**
- RAINWATER COLLECTION TANK
 - CROSS VENTILATION
 - PERMEABILITY
 - RECYCLING
 - LOW FLUSH TOILETS (4A CONSERVATION RATING)
 - 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
 - 5 STAR ENERGY EFFICIENT APPLIANCES

- LEGEND - PERMEABLE AREAS**
- GRASSED AREA
 - GRAVEL/PEBBLES
 - MULCH
 - TIMBER DECK
 - PERMEABLE PAVING



1 PROPOSED GROUND FLOOR PLAN

TP06 SCALE 1:100 @ A2

B	S57A RE-SUBMISSION	MS	05.03.13
A	S57A SUBMISSION	MS	18.02.13
-	TOWN PLANNING SUBMISSION	MS	21.11.12
NO.	DESCRIPTION	BY	DATE

PROJECT: RESIDENTIAL DEVELOPMENT
ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

JOB No: 12015 DRAWN: MS / SS DATE: MARCH 2013

RIDOLFI
ARCHITECTURE
324 LYON ST CARLTON VICTORIA 3233
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ARCHITECTS@RIDOLFIARCHITECT.COM.AU



ADVERTISED PLAN
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PRIDHAM STREET

ROAD

ROAD



0 1 2 4 8

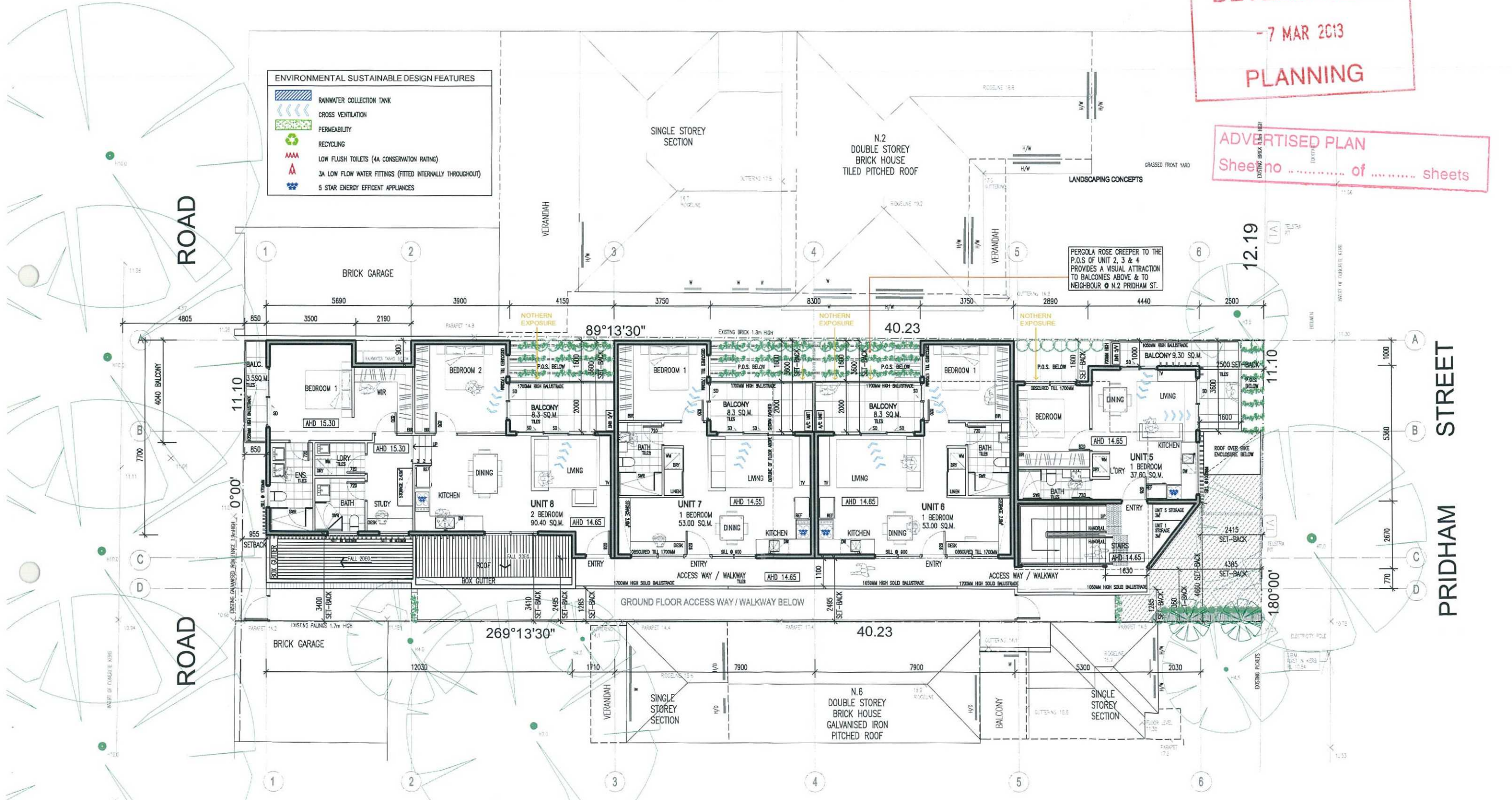
TP06B

BROCK WAY

DEVELOPMENT
- 7 MAR 2013
PLANNING

ADVERTISED PLAN
Sheet no of sheets

- ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES**
- RAINWATER COLLECTION TANK
 - CROSS VENTILATION
 - PERMEABILITY
 - RECYCLING
 - LOW FLUSH TOILETS (4A CONSERVATION RATING)
 - 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
 - 5 STAR ENERGY EFFICIENT APPLIANCES



1
TP07 **PROPOSED FIRST FLOOR PLAN**
SCALE 1:100 @ A2

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A	S57A SUBMISSION	MS	18.03.13
	TOWN PLANNING SUBMISSION	MS	21.11.12
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PROJECT: RESIDENTIAL DEVELOPMENT
ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

TP07B

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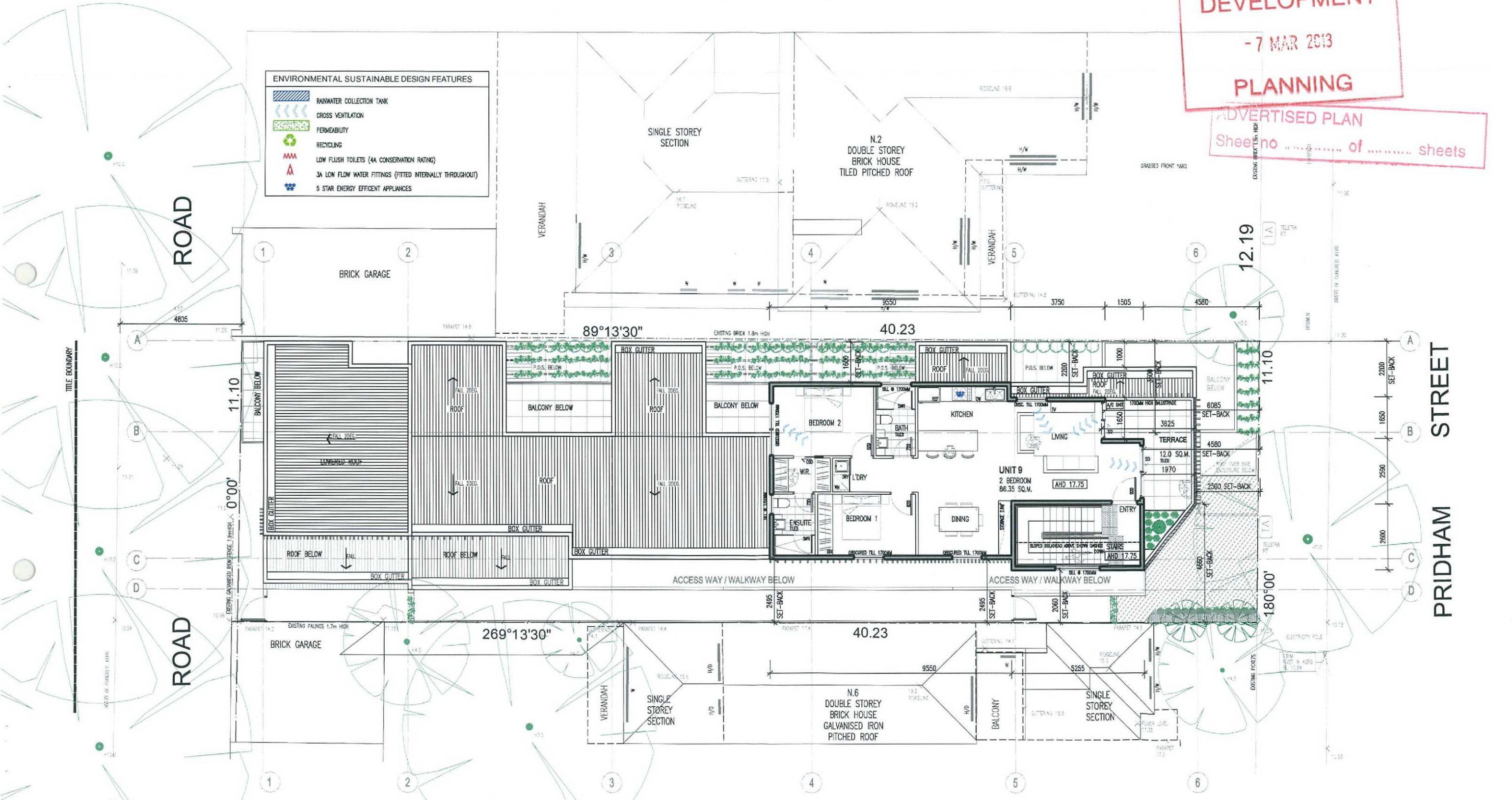
JOB No: 12015 DRAWN: MS/SS DATE: MARCH 2013



BROCK WAY

DEVELOPMENT
 - 7 MAR 2013
PLANNING
 ADVERTISED PLAN
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- ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES**
- RAINWATER COLLECTION TANK
 - CROSS VENTILATION
 - PERMEABILITY
 - RECYCLING
 - AAA LOW FLUSH TOILETS (4A CONSERVATION RATING)
 - 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
 - 5 STAR ENERGY EFFICIENT APPLIANCES



1 PROPOSED SECOND FLOOR PLAN
 TP08 SCALE 1:100 @ A2

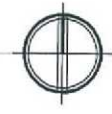
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-	TOWN PLANNING SUBMISSION	MS	21.11.12
NO.	DESCRIPTION	BY	DATE

PROJECT: RESIDENTIAL DEVELOPMENT
 ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

JOB No: 12015 DRAWN: MS/SS DATE: MARCH 2013



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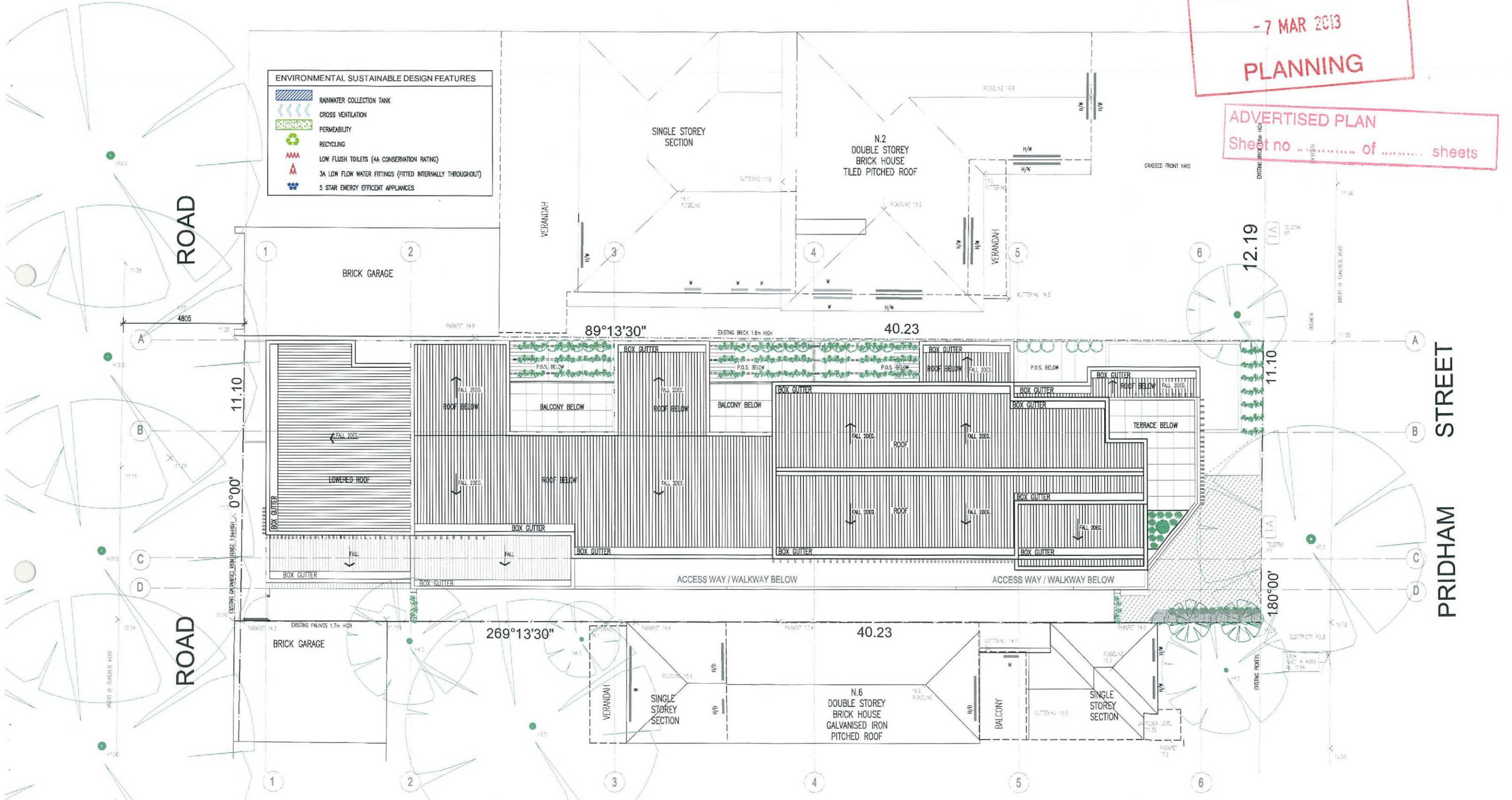
TP08B

BROCK WAY

DEVELOPMENT
- 7 MAR 2013
PLANNING

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- ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES**
- RAINWATER COLLECTION TANK
 - CROSS VENTILATION
 - PERMEABILITY
 - RECYCLING
 - LOW FLUSH TOILETS (4A CONSERVATION RATING)
 - 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
 - 5 STAR ENERGY EFFICIENT APPLIANCES



1 PROPOSED ROOF PLAN
SCALE 1:100 @ A2

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-	TOWN PLANNING SUBMISSION	MS	21.11.12
NO.	DESCRIPTION	BY	DATE

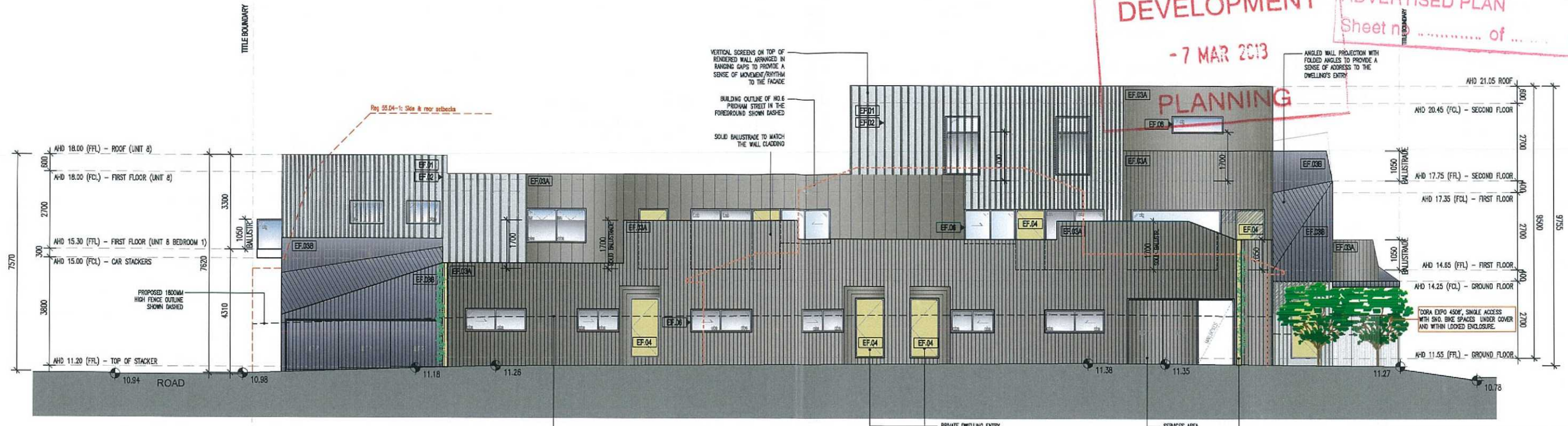
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ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

TP09B

DEVELOPMENT ADVERTISED PLAN

- 7 MAR 2013

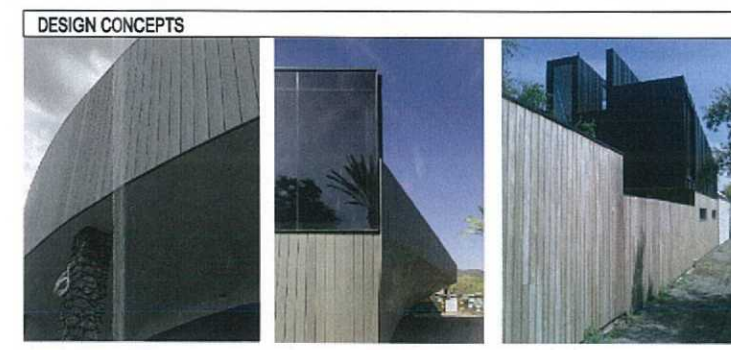
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1 PROPOSED SOUTH ELEVATION
SCALE 1:100 @ A2



2 PROPOSED EAST ELEVATION (PRIDHAM STREET)
SCALE 1:100 @ A2



MOVEMENT EXPRESSED IN FOLDED FORMS / VERTICAL PANELS

SITE / HORSERACING

MOVEMENT EXPRESSED IN DETAILS / VERTICAL LOUVRES

MATERIALS SCHEDULE - EXTERIOR FINISHES

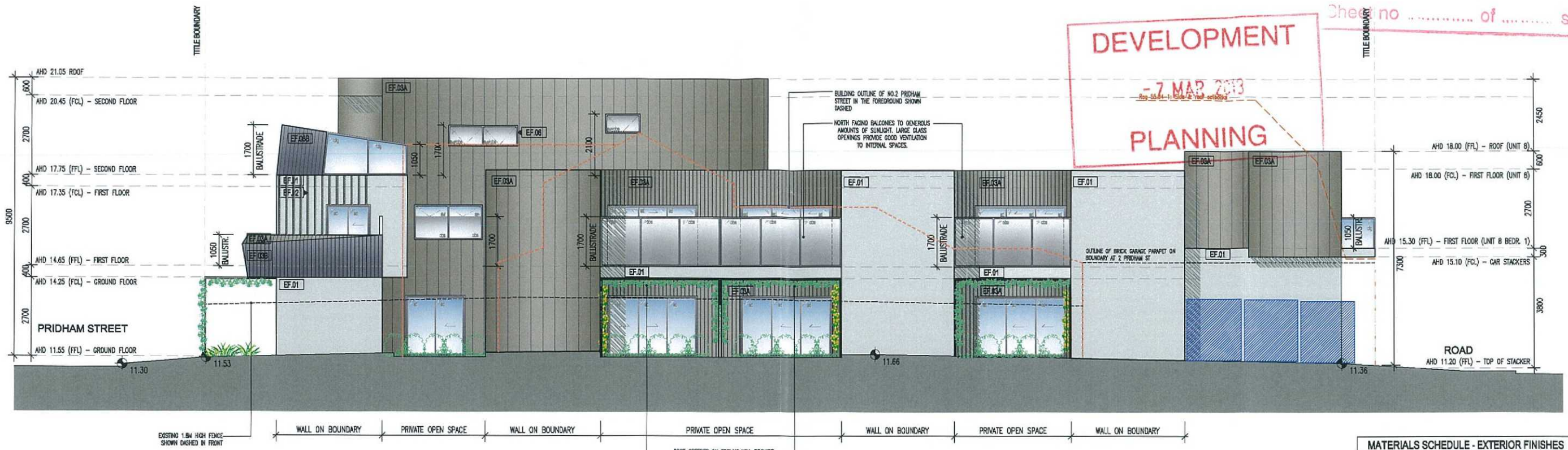
EF.01	WALL FINISH	RENDER HAYMES 'SNOWBELL' 3003
EF.02	VERTICAL SCREENS / BATTENS	CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
EF.03A	HORIZONTAL PANELS	CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
EF.03B	HORIZONTAL PANELS	SCYD CLADDING PAINTED IN HAYMES 'ECLIPSE 3007'
EF.04	ENTRY DOORS / FEATURE FRAMES	HAYMES 'DAISY CHAIN' 2018T
EF.05	FENCING	HAYMES 'SNOWBELL' 3003
EF.06	WINDOWS & DOOR FRAMES	DULUX POWDERCOAT "OLDE PEWTER" 50243 SATIN
EF.07	GUTTERS & DOWNPIPES	DULUX POWDERCOAT: • Colorbond "SHALE GREY" TO MATCH EF01 • Colorbond "IRONSTONE" TO MATCH EF03
EF.08	METAL ROOF	LYSAGHT TRINDECK COLORBOND "SHALE GREY"

GLAZING LEGEND

sd	SLIDING DOOR	aw	AWNING WINDOW
fw	FIXED WINDOW	ow	OBSCURED WINDOW/GLAZING

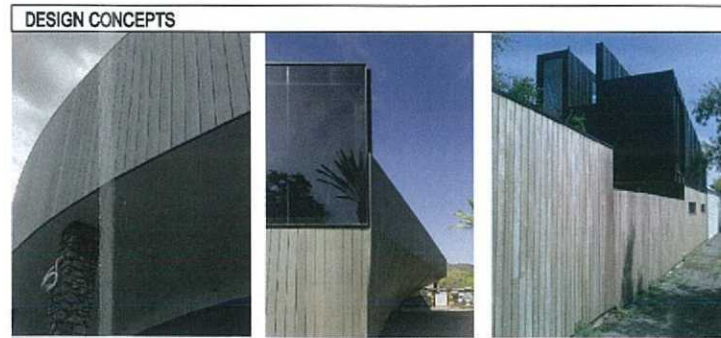
E	SS7A RE-SUBMISSION	WS	05.03.13
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Sheet no of sheets



DEVELOPMENT
-7 MAR 2013
PLANNING

1 PROPOSED SOUTH ELEVATION
SCALE 1:100 @ A2



MATERIALS SCHEDULE - EXTERIOR FINISHES

EF.01	WALL FINISH	RENDER HAYMES 'SNOWBELL' 3003
EF.02	VERTICAL SCREENS / BATTENS	CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
EF.03A	HORIZONTAL PANELS	CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
EF.03B	HORIZONTAL PANELS	SCYON CLADDING PAINTED IN HAYMES 'ECLIPSE 3007'
EF.04	ENTRY DOORS / FEATURE FRAMES	HAYMES 'DAISY CHAIN' 2018T
EF.05	FENCING	HAYMES 'SNOWBELL' 3003
EF.06	WINDOWS & DOOR FRAMES	DULUX POWDERCOAT 'OLDE PEWTER' 50243 SATIN
EF.07	GUTTERS & DOWNPIPES	DULUX POWDERCOAT: • COLORBOND 'SHALE GREY' TO MATCH EF01 • COLORBOND 'PENTSTONE' TO MATCH EF03
EF.08	METAL ROOF	LYSAGHT TRINDECK COLORBOND 'SHALE GREY'

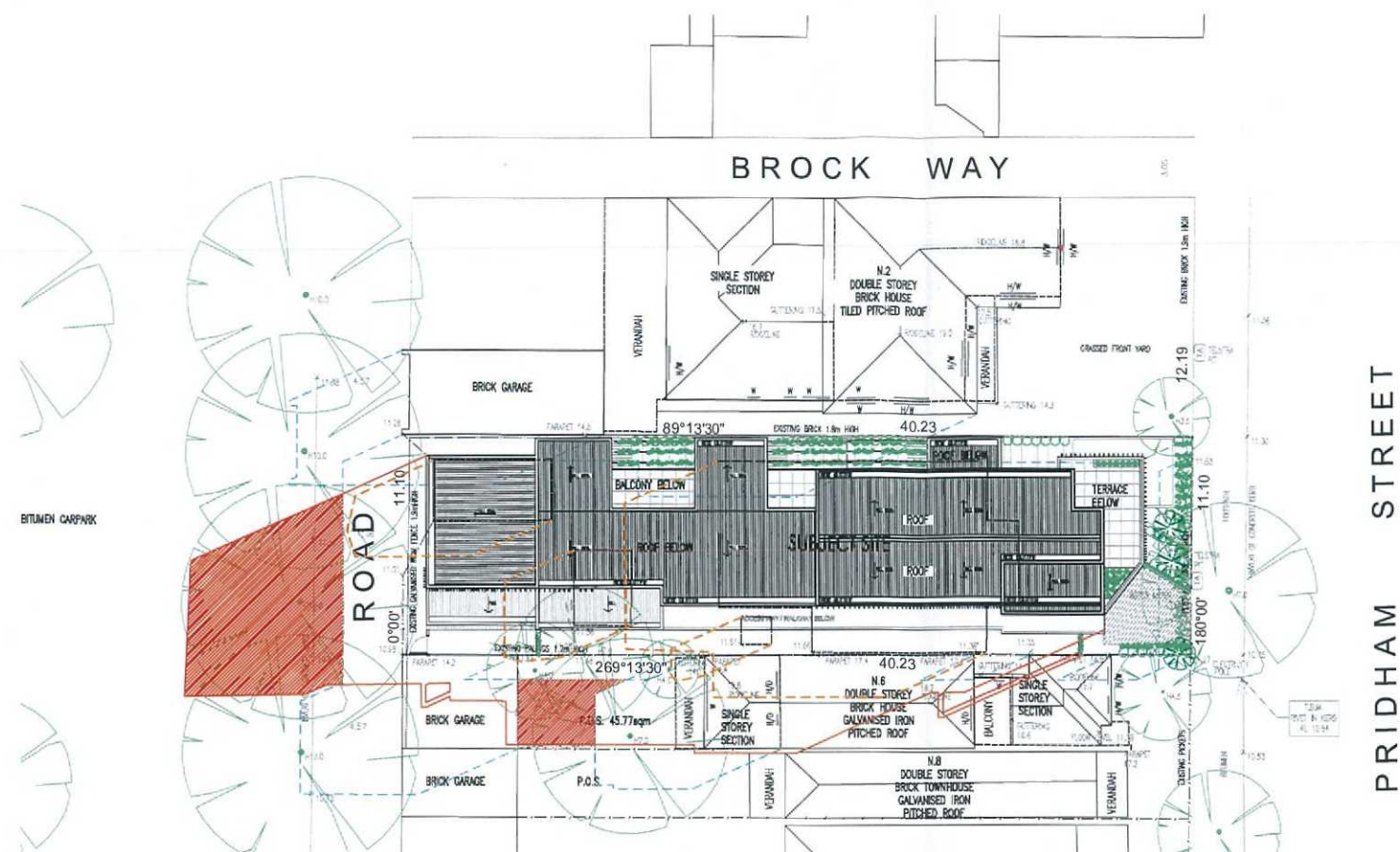
GLAZING LEGEND

sd	SLIDING DOOR	aw	AWNING WINDOW
fw	FIXED WINDOW	ow	OBSCURED WINDOW/GLAZING

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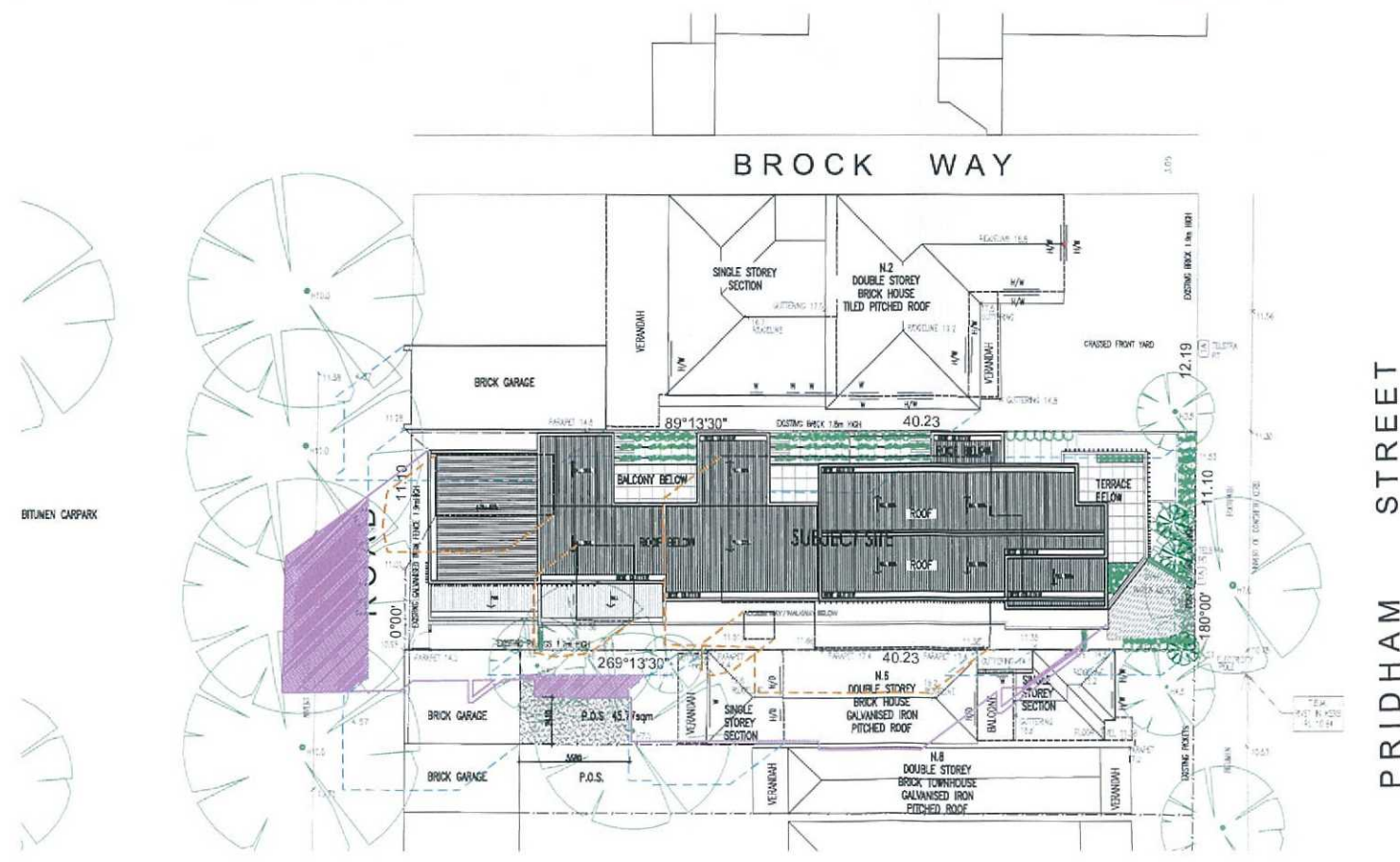
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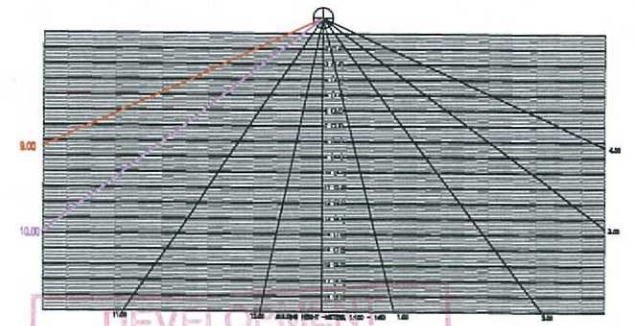
1 SHADOW ANALYSIS - 9AM - 22ND SEPTEMBER
 SCALE 1:250 @ A2

SHADOW ANALYSIS - 9AM - 22ND SEPTEMBER		SHADOW ANALYSIS: N.8 PRIDHAM ST	
PROPOSED OVERHANGING	Red hatched area	ADDITIONAL SHADOW	0.1 sqm PERMANENT
NEIGHBOUR OVERHANGING	Blue hatched area	AREA OF P.O.S. UNIMPAIRED	1.87 sqm
EXISTING HOUSE OUTLINE	Black dashed line		
EXISTING OVERHANGING	Orange hatched area		



2 SHADOW ANALYSIS - 10AM - 22ND SEPTEMBER
 SCALE 1:250 @ A2

SHADOW ANALYSIS - 10AM - 22ND SEPTEMBER		SHADOW ANALYSIS: N.8 PRIDHAM ST	
PROPOSED OVERHANGING	Purple hatched area	ADDITIONAL SHADOW	0.1 sqm PERMANENT
NEIGHBOUR OVERHANGING	Blue hatched area	AREA OF P.O.S. UNIMPAIRED	1.87 sqm
EXISTING HOUSE OUTLINE	Black dashed line		
EXISTING OVERHANGING	Orange hatched area		



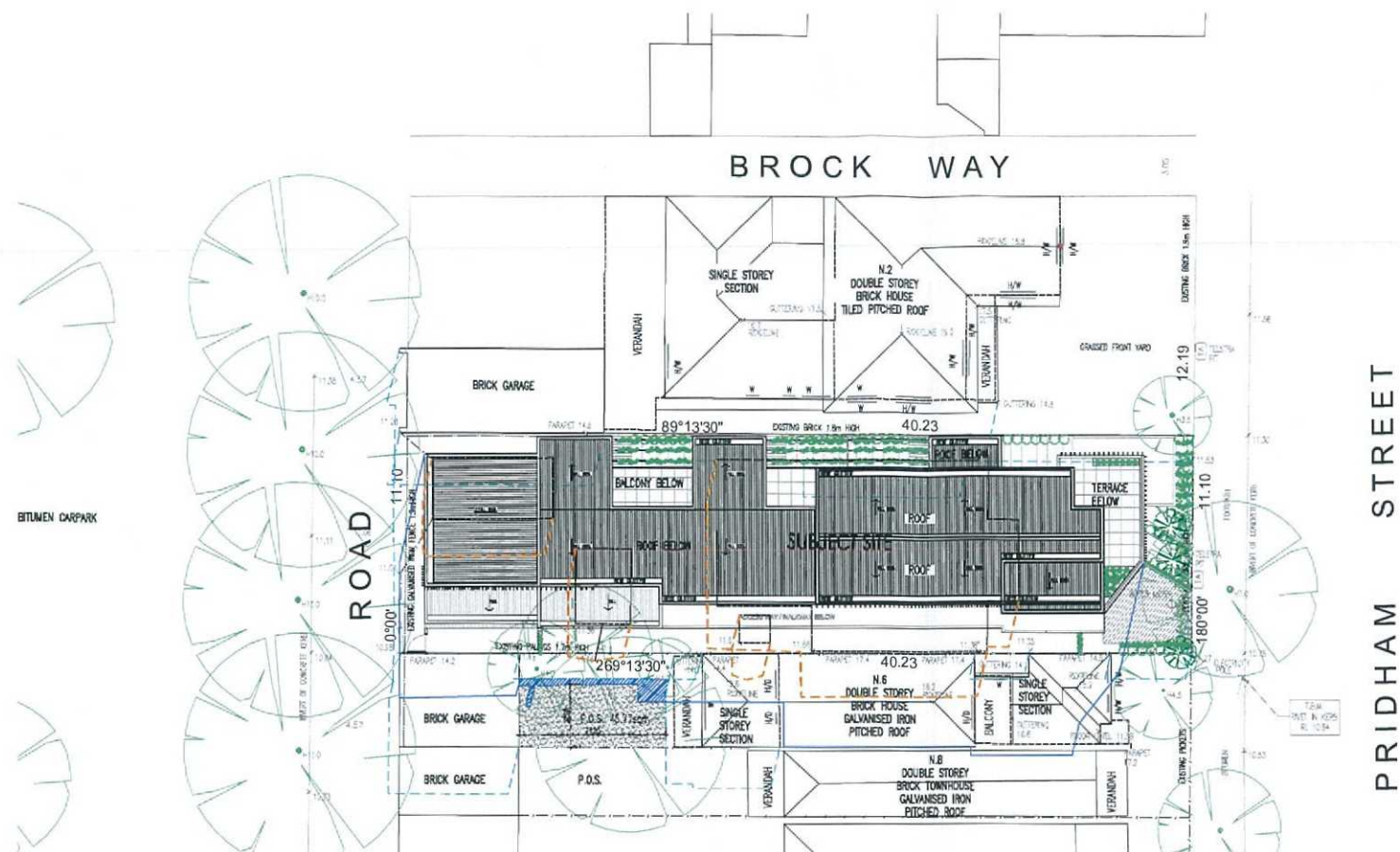
DEVELOPMENT
 23 NOV 2012
 PLANNING

TOWN PLANNING SUBMISSION NO.	MS	21.11.12
DESCRIPTION	BY	DATE

PROJECT: RESIDENTIAL DEVELOPMENT
 ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

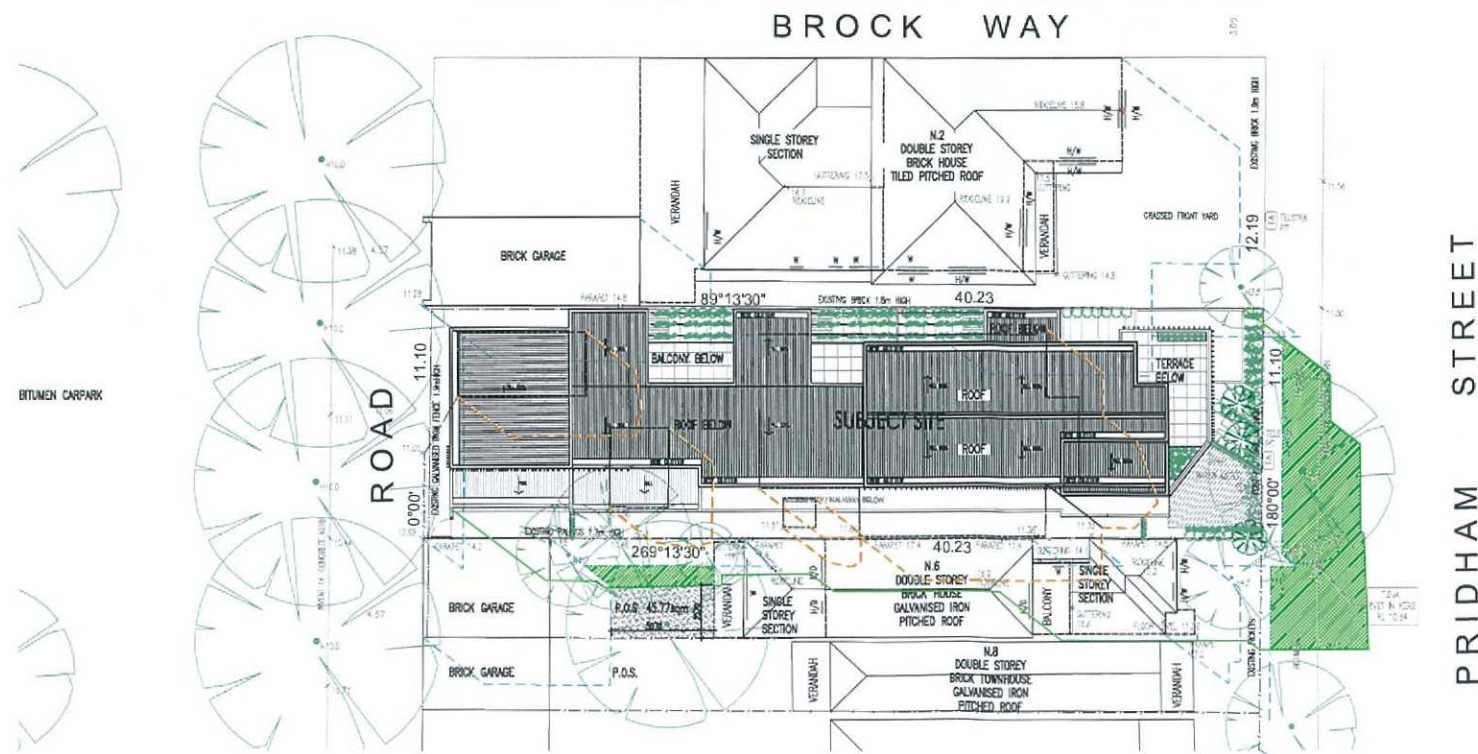


ADVERTISED PLAN
Sheet no of sheets



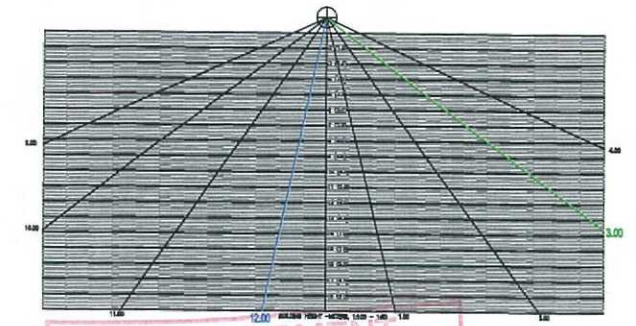
1 SHADOW ANALYSIS - 12PM - 22ND SEPTEMBER
SCALE 1:250 @ A2

SHADOW ANALYSIS		SHADOW ANALYSIS: N.6 PRIDHAM ST	
PROPOSED OVERHANGING		ADDITIONAL SHADOW	4.1 sqm. 10mm
NEIGHBOUR OVERHANGING		AREA OF P.O.S. UNSHADOWED	22.8 sqm.
EXISTING HOUSE OUTLINE			
EXISTING OVERHANGING			



2 SHADOW ANALYSIS - 3PM - 22ND SEPTEMBER
SCALE 1:250 @ A2

SHADOW ANALYSIS		SHADOW ANALYSIS: N.6 PRIDHAM ST	
PROPOSED OVERHANGING		ADDITIONAL SHADOW	6.7 sqm. 10mm
NEIGHBOUR OVERHANGING		AREA OF P.O.S. UNSHADOWED	12.8 sqm.
EXISTING HOUSE OUTLINE			
EXISTING OVERHANGING			




DEVELOPMENT
23 NOV 2012
PLANNING



EXTERNAL FINISHES

- 
EF.01 WALL FINISH
 RENDER HAYMES 'SNOWBELL' 3003
- 
EF.02 VERTICAL SCREEN / BATTENS
 CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
- 
EF.03A HORIZONTAL PANELS
 CLADDING IN MANUFACTURER'S 'WEATHERWOOD' COLOUR OR SIMILAR
- 
EF.03B HORIZONTAL PANELS
 SCYON CLADDING PAINTED IN HAYMES 'ECLIPSE' 3007
- 
EF.04 ENTRY DOORS / FEATURE FRAMES
 HAYMES 'DAISY CHAIN' 2018T
- 
EF.05 FENCING
 HAYMES 'SNOWBELL' 3003
- 
EF.06A WINDOWS & DOOR FRAMES
 DULUX POWDERCOAT "OLDE PEWTER" 50243 SATIN
- 
EF.07 GUTTERS & DOWNPIPES
 DULUX POWDERCOAT:
 - COLORBOND "SHALE GREY" TO MATCH EF01
 - Colorbond "IRONSTONE" TO MATCH EF03

EXTERNAL FINISHES

- 
EF.08 METAL ROOF
 LYSAGHT TRIMDECK COLORBOND "SHALE GREY"

GROUND / LANDSCAPING FINISHES

- 
BLACK TIMBER MULCH
- 
GRANITE ROCK PEBBLES
- 
PERMEABLE PAVING
 PAVERS WITH WIDENED JOINTS IN DARK GREY FINISH
- 
OUTDOOR TILE
 EXTERNAL FLOOR TILES WITH SILVER GROUT
- 
OUTDOOR DECKING
 BIOWOOD ARCHITECTURAL DECKING IN 'WEATHERWOOD'
- 
CLIMBING ROSE BUSH

GROUND / LANDSCAPING FINISHES

- 
NATIVE AUSTRALIAN GRASS
 POA CITA, SILVER TUSSOCK GRASS (700MM MAX. HEIGHT)
- 
HEDGE
 BUXUS MICROPHYLLA VAR. JAPONICA JAPANESE BOX HEDGE (1M MAX. HEIGHT)
- 
FLOWERING ANNUAL
 LUPINUS HARTWEGII RUSSELL LUPINS HYBRID OR SIMILAR (900MM MAX. HEIGHT)
- 
CANOPY TREE
 CATALPA BIGNONIOIDES 'NANA' (5M MAX. HEIGHT X 3M MAX. WIDTH)

ADVERTISED PLAN
Sheet no of sheets

DEVELOPMENT
23 NOV 2012
PLANNING

1
TP14

PROPOSED MATERIALS SCHEDULE
NOT TO SCALE

AREA ANALYSIS	Future Melbourne Committee
SITE AREA	446.5 SQM
PROPOSED GROUND FLOOR AREA	300.6 SQM
OPEN AREA	145.9 SQM
SITE COVERAGE 74.5%	

4 June 2013

BROCK WAY

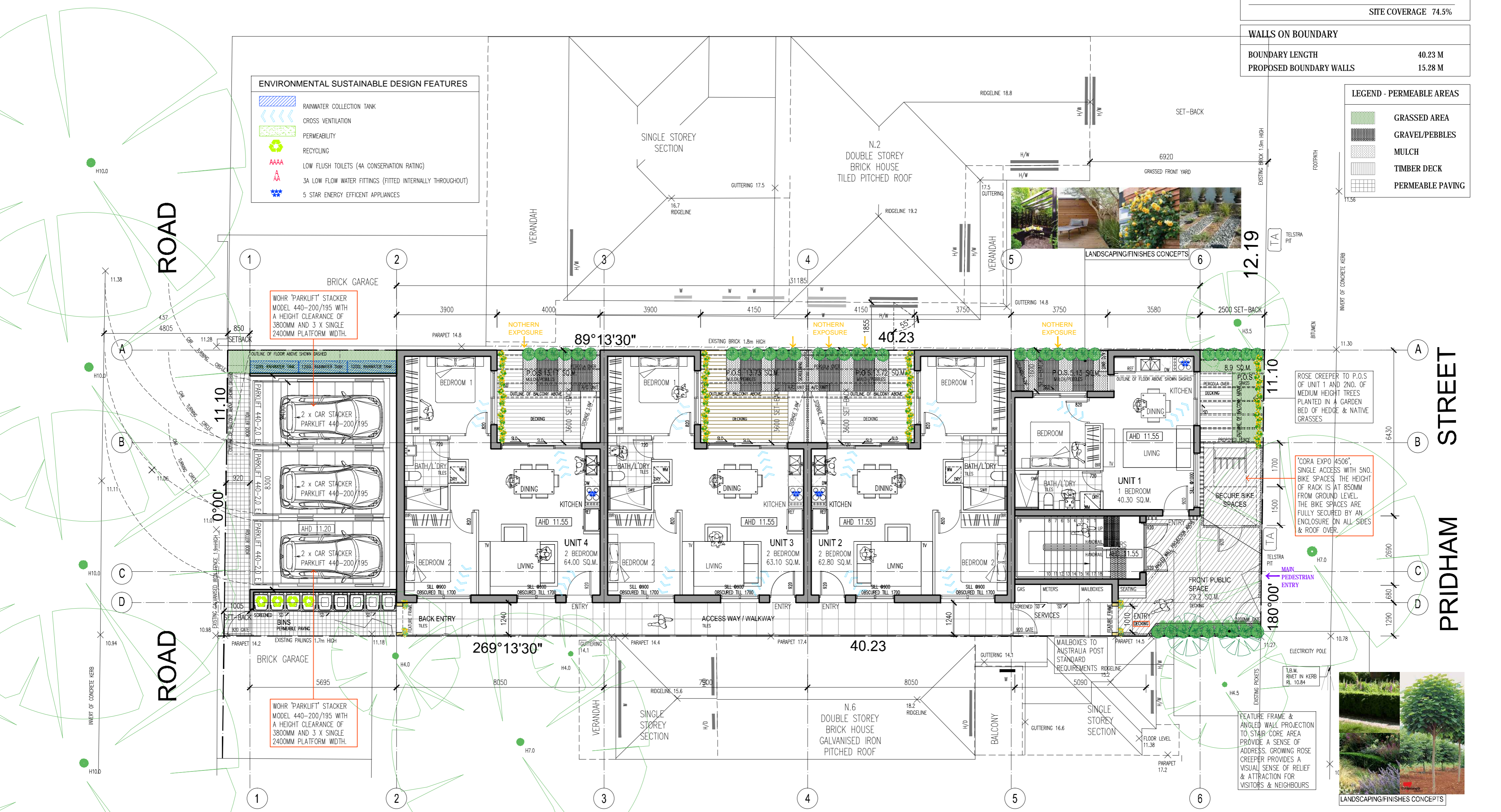
WALLS ON BOUNDARY	
BOUNDARY LENGTH	40.23 M
PROPOSED BOUNDARY WALLS	15.28 M

ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES

- RAINWATER COLLECTION TANK
- CROSS VENTILATION
- PERMEABILITY
- RECYCLING
- LOW FLUSH TOILETS (4A CONSERVATION RATING)
- 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
- 5 STAR ENERGY EFFICIENT APPLIANCES

LEGEND - PERMEABLE AREAS

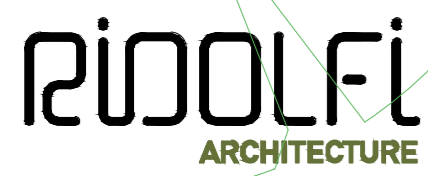
- GRASSED AREA
- GRAVEL/PEBBLES
- MULCH
- TIMBER DECK
- PERMEABLE PAVING



1 PROPOSED GROUND FLOOR PLAN
TP06 SCALE 1:100 @ A2

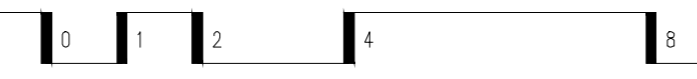
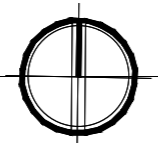
C	CONDITION 1 REVISIONS	SS	23.05.13
B	ISS7A RE-SUBMISSION	MS	05.03.13
A	ISS7A SUBMISSION	MS	18.02.13
	TOWN PLANNING SUBMISSION	MS	21.11.12
NO.	DESCRIPTION	BY	DATE

PROJECT: RESIDENTIAL DEVELOPMENT
ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031



L1 324 LYON ST CARLTON VICTORIA 3053
TEL: 9348 0001 FAX: 9348 0040
E: ARCHITECTURE@RIDOLFI.NET.AU

JOB No: 12015 DRAWN: MS / SS DATE: MAY 2013



FEATURE FRAME & ANGLED WALL PROJECTION TO STAIR CORE AREA PROVIDE A SENSE OF ADDRESS. GROWING ROSE CREEPER PROVIDES A VISUAL SENSE OF RELIEF & ATTRACTION FOR VISITORS & NEIGHBOURS

'CORAXPO 4506', SINGLE ACCESS WITH 5NO. BIKE SPACES. THE HEIGHT OF RACK IS AT 850MM FROM GROUND LEVEL. THE BIKE SPACES ARE FULLY SECURED BY AN ENCLOSURE ON ALL SIDES & ROOF OVER.

ROSE CREEPER TO P.O.S. OF UNIT 1 AND 2NO. OF MEDIUM HEIGHT TREES PLANTED IN A GARDEN BED OF HEDGE & NATIVE GRASSES

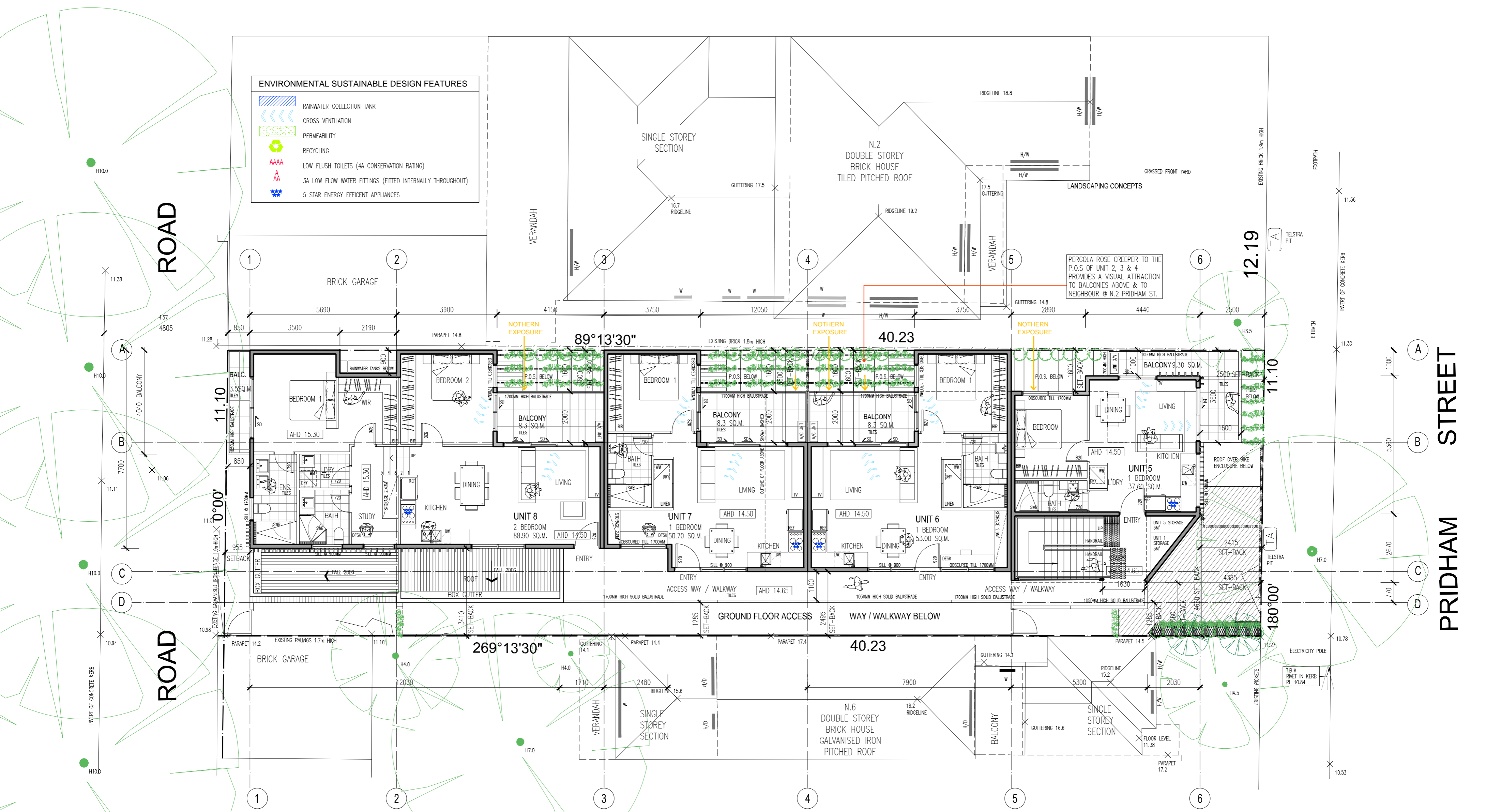
PRIDHAM STREET

ROAD

ROAD

TP06C

BROCK WAY



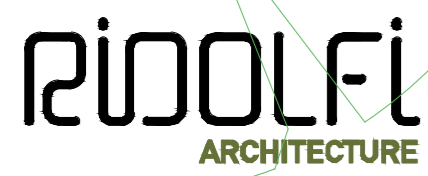
ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES

- RAINWATER COLLECTION TANK
- CROSS VENTILATION
- PERMEABILITY
- RECYCLING
- LOW FLUSH TOILETS (4A CONSERVATION RATING)
- 3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
- 5 STAR ENERGY EFFICIENT APPLIANCES

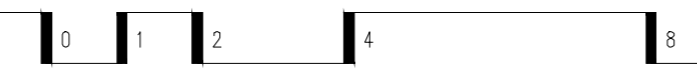
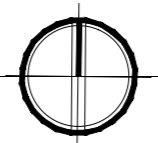
1 PROPOSED FIRST FLOOR PLAN
 TP07 SCALE 1:100 @ A2

NO.	DESCRIPTION	BY	DATE
C	CONDITION 1 REVISIONS	SS	23.05.13
B	ISS7A RE-SUBMISSION	MS	05.03.13
A	ISS7A SUBMISSION	MS	18.02.13
1	TOWN PLANNING SUBMISSION	MS	11.11.12
NO.	DESCRIPTION	BY	DATE

PROJECT: RESIDENTIAL DEVELOPMENT
 ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031



11 324 LYON ST CARLTON VICTORIA 3053
 TEL: 9348 0001 FAX: 9348 0040
 E: ARCHITECTURE@RIDOLFI.NET.AU



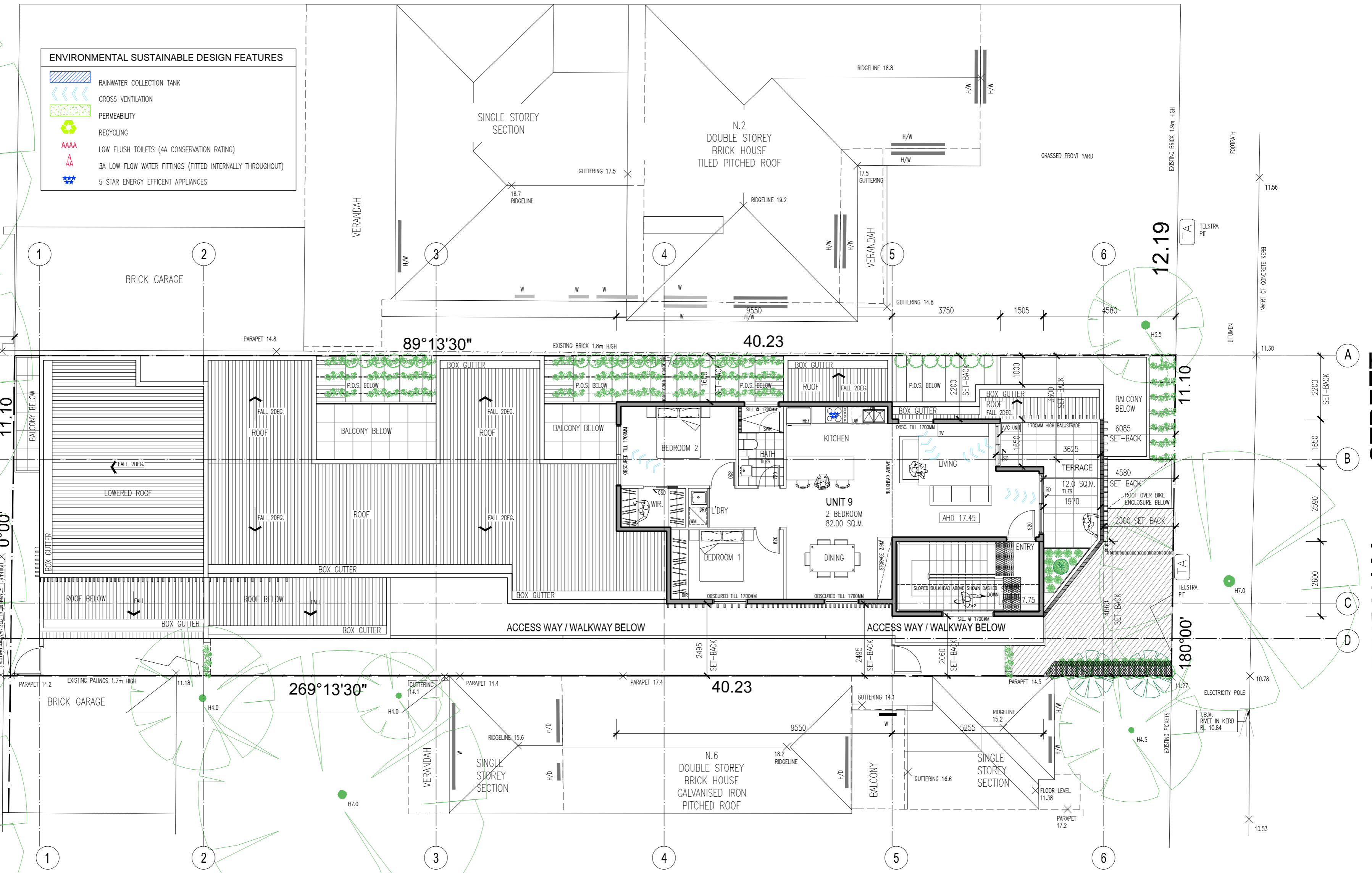
JOB No: 12015 DRAWN: MS/SS DATE: MAY 2013

PRIDHAM STREET

TP07C

BROCK WAY

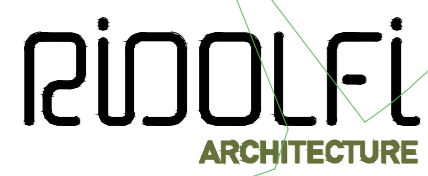
ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES	
	RAINWATER COLLECTION TANK
	CROSS VENTILATION
	PERMEABILITY
	RECYCLING
	LOW FLUSH TOILETS (4A CONSERVATION RATING)
	3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
	5 STAR ENERGY EFFICIENT APPLIANCES



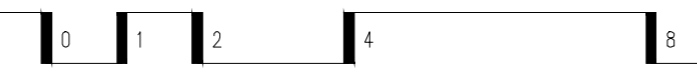
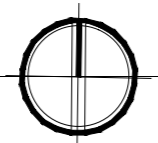
1 PROPOSED SECOND FLOOR PLAN
 TP08 SCALE 1:100 @ A2

NO.	DESCRIPTION	BY	DATE
C	CONDITION 1 REVISIONS	SS	23.05.13
B	ISS7A RE-SUBMISSION	MS	05.03.13
A	ISS7A SUBMISSION	MS	18.02.13
1	TOWN PLANNING SUBMISSION	MS	21.11.12

PROJECT: RESIDENTIAL DEVELOPMENT
 ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031



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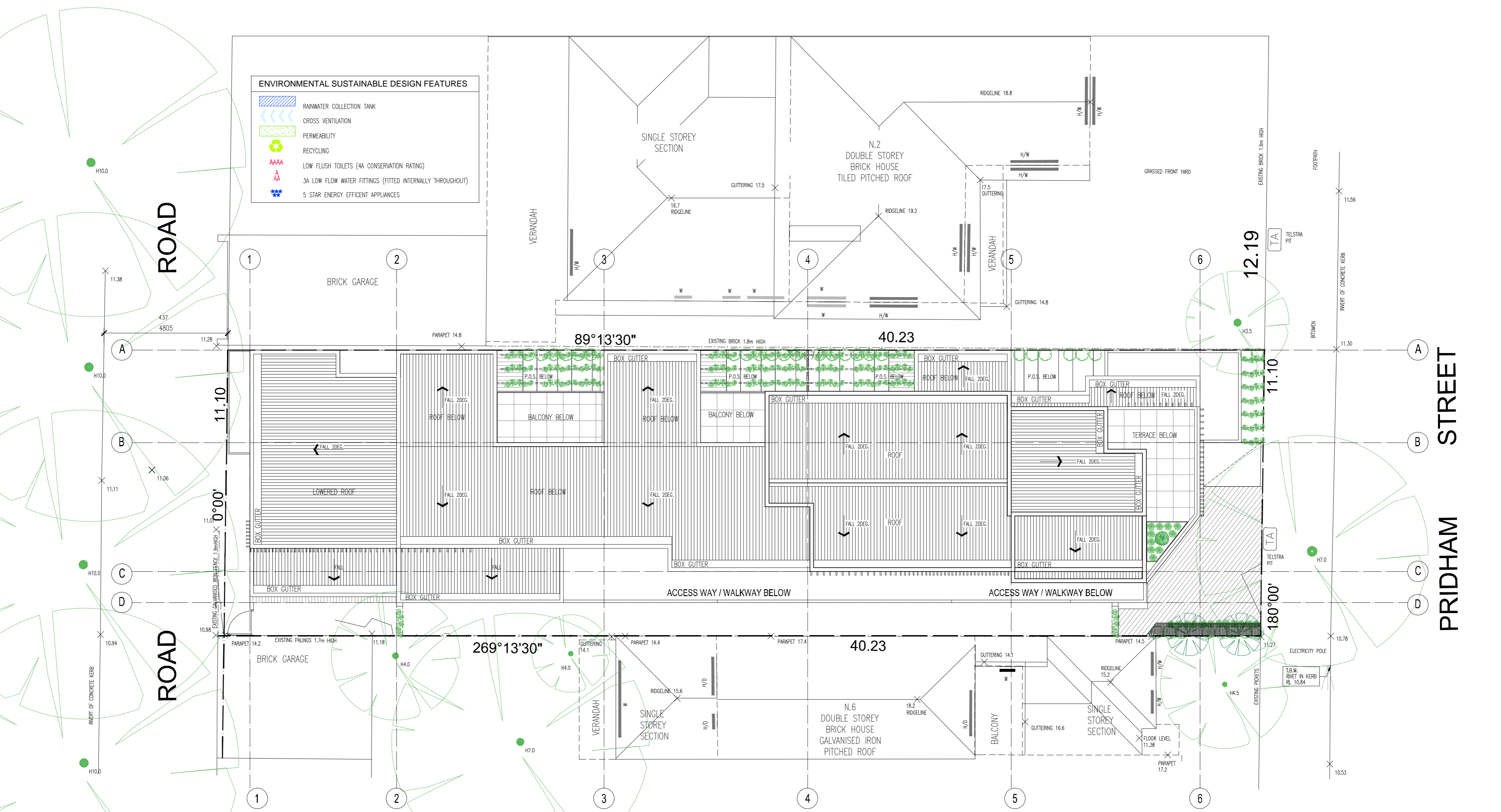
JOB No: 12015 DRAWN: MS/SS DATE: MAY 2013

PRIDHAM STREET

TP08C

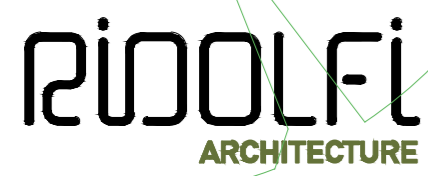
BROCK WAY

ENVIRONMENTAL SUSTAINABLE DESIGN FEATURES	
	RAINWATER COLLECTION TANK
	CROSS VENTILATION
	PERMEABILITY
	RECYCLING
	LOW FLUSH TOILETS (4A CONSERVATION RATING)
	3A LOW FLOW WATER FITTINGS (FITTED INTERNALLY THROUGHOUT)
	5 STAR ENERGY EFFICIENT APPLIANCES

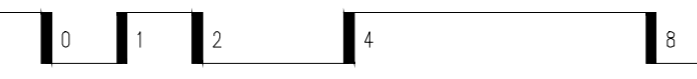
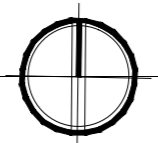


1
TP09 PROPOSED ROOF PLAN
SCALE 1:100 @ A2

NO.	DESCRIPTION	BY	DATE
C	CONDITION 1 REVISIONS	MS	23.05.13
B	ISS7A RE-SUBMISSION	MS	05.03.13
A	REVISION A SUBMISSION	MS	18.02.13
F	TOWN PLANNING SUBMISSION	MS	21.11.12



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TEL: 9348 0001 FAX: 9348 0040
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JOB No: 12015

DRAWN: MS

DATE: MAY 2013

PROJECT: RESIDENTIAL DEVELOPMENT
ADDRESS: 4 PRIDHAM STREET, KENSINGTON 3031

TP09C

DELEGATED PLANNING APPLICATION REPORT

Application number:	TP-2012-923
Applicant:	Mr Kim Belfield
Address:	4 Pridham Street, KENSINGTON VIC 3031
Proposal:	Construction of a three storey residential building containing nine dwellings
Date of application:	23 November 2012
Responsible officer:	Nicholas Mclennan

1 SUBJECT SITE AND SURROUNDS

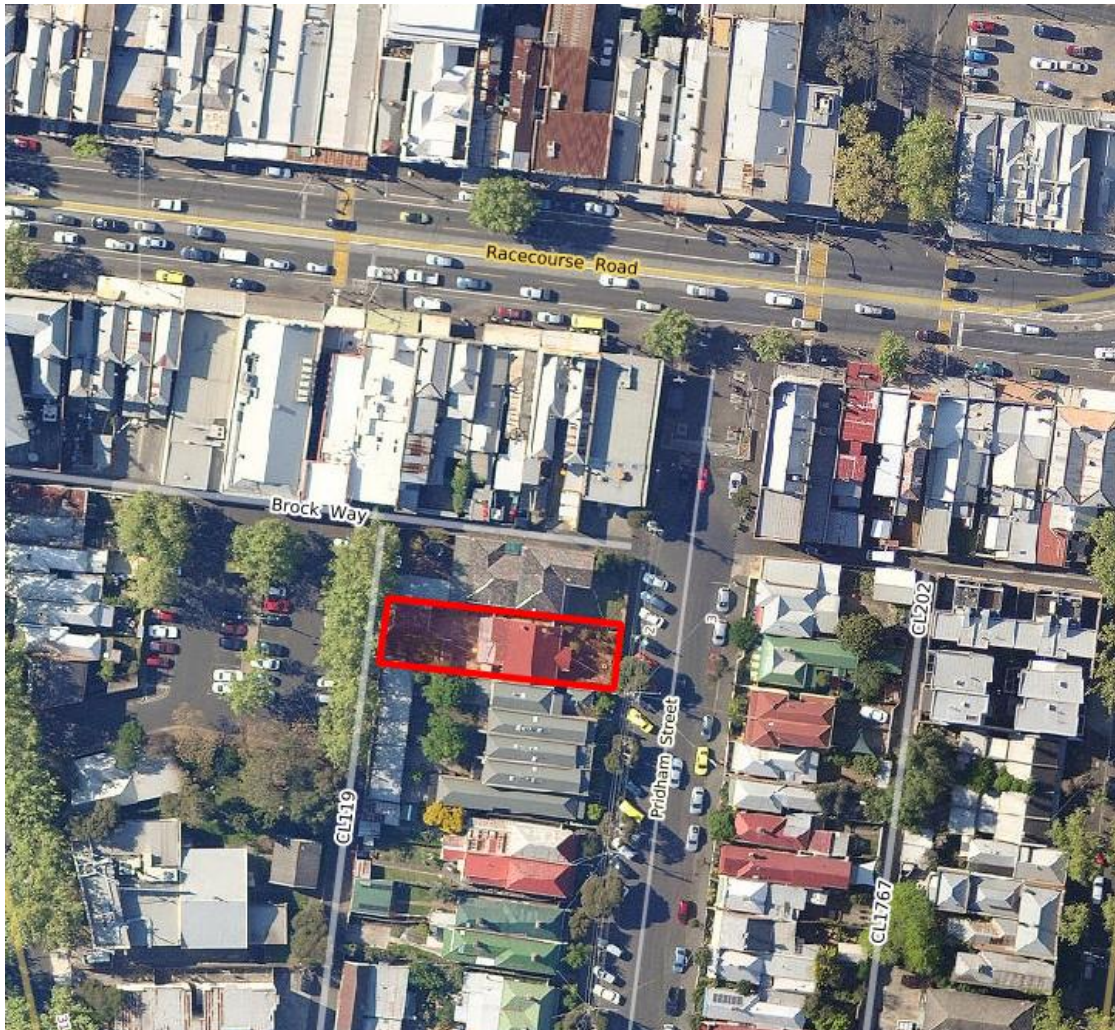
The subject site is located on the western side of Pridham Street and is orientated east to west. The site backs onto a Council Lane (CL119) which runs along the western boundary and separates the subject site and a public car park which serves the shops to the north of the site which front Racecourse Road.

The subject site is rectangular in shape with a combined area of approximately 446.5 square metres with frontages of approximately 11 metres and a depth of 40 metres. The site currently contains a single storey weatherboard dwelling with a pitched tiled roof.

The property adjoining the subject site to the north at 2 Pridham Street is a double storey brick dwelling and the property to the south at 8 Pridham Street is a double storey brick dwelling. The adjoining properties to the east across Pridham Street contain a mix of single and double storey dwellings. It is noted that the subject site is located within the Racecourse Road Major Activity Centre, the majority of which falls in the City of Moonee Valley.

Within walking distance of the site are Newmarket and Macaulay train stations as well as tram stops, shops, schools, community facilities and parklands.

Aerial Photo / Locality Plan



2 BACKGROUND AND HISTORY

2.1 Pre-application discussions

Pre-application discussions were held between City of Melbourne planning officers and the applicant. Setbacks and protecting the amenity of the adjoining properties were the main issues discussed.

2.2 Planning Application History

There is no directly relevant history or background for this application.

3 PROPOSAL

Planning permission is sought to demolish the existing dwelling for the construction of a three storey building containing nine dwellings. The details are as follows:

Ground Floor

The ground floor will be provided with one 1 bedroom dwelling and three 2 bedroom dwellings. A garage is proposed off the rear Council Lane housing 3x 2 car stackers (6 car spaces), a southern walkway to access units 2-4, north facing private open space for each dwelling, rubbish bin area, bicycle parking, 3 x 1200 litre rainwater tanks, landscaping and stairs to the upper levels.

First Floor

The first floor contains three one bedroom dwellings, one two bedroom dwelling and north facing private open space in the form of balconies and stairs to the top floor.

Second Floor

The second floor contains one two bedroom dwelling located toward the front of the development with a balcony fronting Pridham Street.

The maximum overall height of the development is 9.5 metres and is to be of a modern design with the use of vertical wooden slats, metal and angles.

4 STATUTORY CONTROLS

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Clause	Permit Trigger
Residential 1 Zone, Clause 32.01-3	Pursuant to Clause 32.01-4, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

5 STRATEGIC FRAMEWORK

State Planning Policy Framework (SPPF)

Clause 11.04-1 – City Structure

This Clause seeks to:

- Facilitate targeted redevelopment to increase levels of housing and employment in established areas close to where people reside.

Clause 15.01-1 – Urban Design

This Clause seeks to:

- Create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 16 – Housing:

The purpose of this state planning policy is to provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

Clause 19.03 – Design and Built Form:

Seeks to achieve high quality urban design and architecture that reflects the particular characteristics, aspirations and cultural identity of the community and enhances liveability, diversity, amenity and safety of the public realm.

Local Planning Policy Framework (LPPF)

Clause 21.03, Vision and Approach

This policy outlines a vision for the City of Melbourne and planning approaches.

Clause 21.05 – City Structure and Built Form

This section of the local planning policy framework details objectives and strategies for built form under the themes of heritage, structure and character, the public environment, sustainable built form, parks, gardens and open space and community safety.

The Municipal Strategic Statement, under Clause 21.08-10 outlines a vision for Kensington. The relevant section can be found below:

‘Flemington and Kensington are residential areas undergoing growth and change. Kensington has intact areas of heritage significance from its establishment as an industrial working class suburb in the 19th Century.

Kensington continues to thrive as an urban village, accommodating a diverse residential community and a mix of uses. Maintaining and enhancing residential amenity and the heritage characteristics of the area remains a priority for Kensington and Flemington.

It is encouraged to protect heritage places, including buildings, structures, streetscapes, historic subdivision patterns, street layout, landscape features and indigenous sites in Kensington and Flemington.’

Built form:

- Protect heritage places, including buildings, structures, streetscapes, historic subdivision patterns, street layout, landscape features and indigenous sites in Kensington.
- Ensure that development is sympathetic to the heritage values of adjacent heritage areas and places.
- Maintain the existing low scale of the residential areas of Kensington.
- Ensure infill redevelopment and extensions complement the architecture, scale and heritage values of the residential area, especially where it is within a Heritage Overlay.

Local Policies

Clause 22.17 – Urban Design outside the Capital City Zone

The objectives of this clause include:

- To ensure the scale, siting, massing and bulk of development complement the scale, siting, massing and bulk of adjoining and nearby built form.
- To ensure that the height of buildings relates to the prevailing patterns of height and scale of existing development in the surrounding area.
- To reduce unacceptable bulk in new development

This clause details performance standards against which applications to alter buildings/construct new buildings must be assessed. Those performance standards of relevance to this application are:

- Scale;
- Context;
- Building height;
- Building bulk;
- Street level frontages; and

- Visible facades and blank walls.

6 ZONE

The subject site is located within the Residential 1 Zone. Pursuant to Clause 32.01-4, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

7 OVERLAY(S)

There are no overlays that affect the subject site.

8 PARTICULAR PROVISIONS

The following particular provision applies to the application:

Clause 55, Two or More Dwellings on a Lot

9 GENERAL PROVISIONS

The following particular provision applies to the application:

Clause 65, Decision Guidelines, which includes the matters set out in Section 60 of the Planning and Environment Act 1987.

10 PUBLIC NOTIFICATION

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting one notice on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

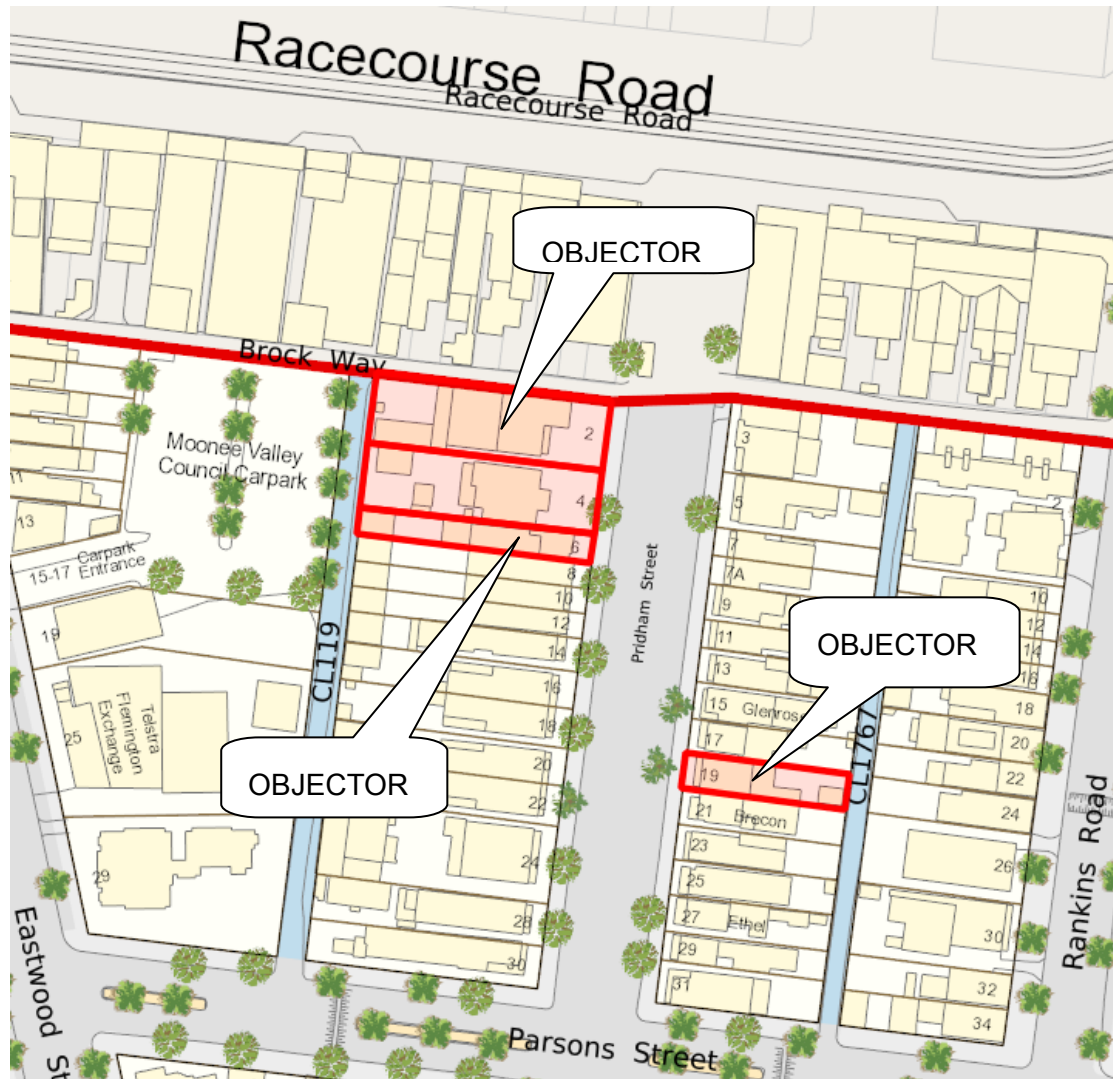
Following advertising the applicant formally amended the application and substituted revised plans on 7 March 2013. These plans were readvertised to the objectors on 14 March 2013 by mail.

11 OBJECTIONS

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

- Visual Bulk
- Out of character in the area.
- Height of walls on the boundary.
- Lack of setbacks.
- Car stackers not 'useable'.
- Excessive overall height.
- Loss of views.
- Overdevelopment.
- Unreasonable overshadowing to adjoining properties.
- Lack of car parking resulting in increased pressure on existing car parking.
- Noise disruption to adjoining properties.
- Unsuitable private open spaces.
- Restricts possible development on adjoining sites.

Location of objectors



- Not all objections shown

12 CONSULTATION

Given the receipt of the objections and concerns from the City of Melbourne the applicant provided revised plans on 7 March 2013 including:

- The provision of covered bicycle storage.
- Proposed pebbles in the front garden replaced with paving.
- The car stackers modified to accommodate the natural fall of the site.
- An amendment to the top (second) floor design of Unit 9 by shifting the entire unit to the west and increasing the side setback from the front portion of the unit by 0.6m and to also shift the terrace off the northern side of the unit. The unit has not been shifted further west as this would have implication on the overshadowing of the private open space to 6 Pridham Street.

The revised plans were formally substituted and readvertised to the objectors. One objector sent in a further objection outlining that there concerns had not been

appeared. No further correspondence was received from the other original objectors. All original objections remain.

13 REFERRALS

13.1 Internal

The application was referred internally to the City of Melbourne Engineering and Urban Design Departments. The following comments were received (as relevant):

13.1.1 Engineering Services

Car Parking Requirements

The 2-bedroom units and one of the 1-bedroom units will be allocated 1 car parking space each, which complies with the requirements of the Planning Scheme. It is proposed that the other 3 x one-bedroom units will not be allocated on-site car parking. Given the size of these 3 units, as well as the location of the site in relation to shopping facilities and public transport (i.e. trains operating along Racecourse Road and Newmarket and Kensington Railway Stations), it is considered acceptable in this case for 3 of the smaller units not to be provided with car parking, on the basis that some residents will not have cars.

In relation to visitor parking it is accepted that this could occur on-street in the area surrounding the subject site.

Access

Access to the car parking spaces from the rear ROW is acceptable in principle. However there are several issues that should be resolved prior to any permit being issued, as follows:

1. Plan TP06 shows that there is a 1:3 gradient from the property line to the garage roller doors. This gradient would result in scraping and is not acceptable. Car stacker manufacturers generally specify flat or near-flat areas on approach to car stackers. Changes to this aspect of the design could have implications for the height of the building.
2. Although the Planning Report states that spaces are 2.6m x 4.9m with a reversing dimension of 6.4 metres, this is not relevant to a car stacker proposal. Plan TP06 shows that the back out distance for the northern space is only 5.65 metres which is unlikely to be sufficient. The applicant should be required to obtain advice from the car stacker manufacturer in relation to the back out distance required, and appropriate amendments made to the plan. This should occur prior to any permit being issued in relation to the application as any required changes could have subsequent impact on other components of the building.
3. Plan TP06 also indicates that each car stacker unit is approximately 2.4 metres in width as each section is enclosed by a separating wall. Bearing in mind the narrow laneway width, it is considered that vehicles will have difficulty in accessing each car stacker unit. It is therefore requested that the applicant provide AutoTurn turning movement diagrams showing that each vehicle can enter/exit each stacker unit with relative ease.
4. Design Standard 4 of Clause 52.06-8 of the Planning Scheme requires that at least 25% of any mechanical parking spaces be able to accommodate a vehicle clearance height of at least 1.8 metres. This is the clearance to any pipes or other infrastructure in the garage area. It is not

clear if this clearance is provided in the stacker system proposed, and a permit condition requiring compliance with this requirement. should be included in any permit issued. Preferably this should be resolved prior to any permit being issued for the development.

5. Further to Point 3 above, Plan TP11 shows the proposed car stacker pit is only 1.7 metres in depth, indicating that a clearance of less than 1.8 metres applies to at least 3 of the 6 parking spaces.

Bicycle Parking Provision and Layout

According to the Planning Report it is proposed to provide a rack for 6 bicycles at the front of the site. However, Plan TP06 shows only 4 spaces.

In any case, the proposed location of the bike racks in an uncovered area in the front public space is not appropriate. Given the lack of ear parking provided, a generous amount (at least 6 spaces) of resident bicycle parking should be provided and these spaces should be secure and undercover.

Bicycle spaces should be provided in accordance with the dimensional requirements of the Planning Scheme and Bicycle Victoria.

Waste Storage and Collection

A WMP has not been prepared. 9 bins have been shown to be stored at the rear of the site adjacent to the garage and side walkway. 9 Bins is adequate for the development. It is assumed that bins will be wheeled to the front for collection. It is noted that this route includes an area treated with pebbles at the front of the building, which is not suitable. A hard surface is required. It cannot be assumed that Council's truck can access the rear lane for collection.

Sufficient space at the front of the property is available for on street waste collection. Bins must be present at Pridham Street at the properties front for collection on the nominated collection day for this area.

Recommended Waste conditions

No garbage or surplus material generated by the permitted use may be deposited or stored outside the site and bins must be returned to the waste room as soon as practicable after waste collections to the satisfaction of Group Manager Engineering Services City of Melbourne.

All waste storage and collections must be to the satisfaction of Group Manager Engineering Services City of Melbourne.

The applicant submitted revised plans including a review of the car parking layout and access to the rear car stackers prepared by TTM Consulting. The revised plans and report were referred to the City of Melbourne's Engineers who made the following comments:

It is proposed to demolish the existing building and construct a new 3 storey building including 9 units (4 x 1-bedroom and 5 x 2-bedroom), with 6 resident parking spaces in 3 stackers accessed from the rear ROW. Three of the 1-bedroom units are not provided with a parking space and visitor parking would occur off-site. Secure covered bicycle storage for 5 bicycles is provided at the front of the site.

Car Parking Provision, Access and Layout

As per our earlier comments, ES does not object to the level of parking provision proposed. As previously mentioned, the applicant should be advised that as per Council's policy, *"new developments in this area that increase the density of the residential development on the site are not entitled to resident parking permits. Therefore, the residents who will occupy this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions."* Any problems that arise in this regard will therefore be for the applicant to resolve.

Changes have been made to the proposal to address the issues previously raised by ES. To make vehicle entry/exit as convenient as possible, it is recommended that garage doors as wide as possible be installed.

Bicycle Parking Provision and Layout

It is noted that the TTM report states that residents can store their bicycles in their units or private open space, and that "there is adequate space on the southern wall of the stairwell on the ground level for a 'towel rail' bicycle rack if desired", yet the letter prepared by Kim Bellfield indicates that there are 5 covered bicycle spaces provided. The amended plans show 5 covered bicycle spaces.

Any permit issued should include a requirement for 5 covered bicycle spaces.

Conclusion

Our earlier comments have been taken into account in the preparation of the amended plans. Engineering Services has no objections to the issuing of a permit for the development, subject to the comments above.

13.1.2 Urban Design

Entrances

We do not support the anonymity of multiple unit entrances and their divorcement from having an address on the streets, resulting from the arrangement of units on a side access path. We would support units having a street presence, to activate the street and create a strong address and sense of place for residents.

Rear lane ground level interface

We do not support the arrangement of continuous single-purpose car parking fronting the rear public lane, or the extensive elevation of roller doors facing the rear lane. We would support building spaces at ground level which front the lane and are able to be occupiable, and which contribute overlooking of and interaction with the lane for security.

Rear lane above-ground interface

We do not support above-ground levels that have no visual overlooking of the public lane, such as the proposed first floor.

14 ASSESSMENT

The application seeks approval for the demolition of the existing building and construction of a three storey building containing nine dwellings with car parking provided to the rear of the site.

The key areas of consideration in the assessment of the application relate to urban design and Clause 55 (ResCode).

14.1 Urban Design

The City of Melbourne's Urban Design polices at Clause 22.17 of the Melbourne Planning Scheme seek to achieve high quality urban design and architecture that responds positively to local urban character. In particular, the clause outlines the following objectives as relevant:

- To ensure that the scale, siting, massing and bulk of development complements the scale, siting, massing and bulk of adjoining and nearby built form.
- To ensure that the height of buildings relates to the prevailing patterns of height and scale of existing development in the surrounding area.
- To ensure that building design including the use of materials and activities at the ground floor frontages of buildings creates and improves pedestrian interest and engagement.
- To ensure that development maintains and enhances traditional street patterns of projecting cornices, and allows projecting balconies and canopies where they follow an existing pattern and/or contribute positively to the public realm.

The proposed development is considered to relate satisfactorily to the existing pattern of the street. Although the proposed front setback of 2.5 - 4.3 metres does not technically fully comply with Standard B6 which requires a setback of 5.45 metres the proposed building incorporates a staggered front setback which is considered to better reflect the front setbacks of the majority of the dwellings on the northern and southern sides of Pridham Street. Given the location of the site within an adjoining municipality Activity Centre the proposed reduced front setback is considered to be reflective of the existing and preferred urban context and will complement the existing character of the area.

The design of the proposed building with varying materials and articulated façades ensures that the building is sympathetic to the street and will not present as overly bulky to the public realm. The part two part three storey building incorporates a flat roof form which also enables the development to sit comfortably within the existing streetscape without dominating or detracting from adjoining single and double storey dwellings. The contemporary built form is considered appropriate given that there are no heritage controls on the subject site or immediately adjoining properties.

Car parking for all the dwellings are in the form of a car stacker to the rear of the subject site and is accessed via a public lane. Given the location of the car stackers car parking will not be a dominant structure in the Pridham Street streetscape. It is noted that the rear lane is characterised by garages that service the properties along the western side of Pridham Street and the car stackers will not detract from this laneway.

Concerns have been raised by the City of Melbourne's Urban Designers with the anonymity of multiple unit entrances and their lack of an address to the street, resulting from the arrangement of units on a side access path. The proposed frontage to Pridham Street is provided with a front entry point into common space that provides a walkway along the southern boundary for entry into the ground floor units and a doorway into the stairwell for access to the first and second floor units.

The proposed entry to the site from Pridham Street is considered to be clearly identifiable and entrance points into each dwelling are considered to be convenient and easily accessible. The presentation of the building to the street is considered to be appropriate given the site context.

Concerns were also raised by Urban Design in regard to the façade presentation to the rear lane and the lack of passive surveillance provided to the rear of the site over the laneway and adjoining public car park. These concerns were discussed with the applicant who formally amended the plans to incorporate a balcony and window facing west to unit 8, providing an appropriate amount of passive surveillance from the proposed building into the public spaces to the rear. The proposed alterations are also considered to appropriately integrate the building with the rear laneway and offer a visually pleasant alternative to the current streetscape which consists of garage doors.

With consideration for Clause 22.17, Urban Design outside the Capital City Zone, the proposal is considered to be acceptable from an urban design perspective for the following reasons:

- The proposed building is well articulated with setbacks, windows, balconies and varied materials.
- The proposal maintains the prevailing setback within the street.
- The proposed dwellings have adequate amenity with open plan living areas, access to natural ventilation and daylight and balconies.
- The relationship between the building and the street is improved with new pedestrian entries.
- The proposal will improve the surveillance to the street and rear public spaces with windows and a balcony.
- The modern design of the building is acceptable in the urban context with a variety of architectural styles.

14.2 Engineering

14.2.1 Car Parking

One of the main concerns raised by the objectors relates to the proposal placing increased pressure on existing parking on the area.

Application of the Planning Scheme rate to the proposed 9 dwellings equates to a parking requirement of 9 spaces. The proposed provision of 6 spaces does not satisfy this requirement.

The subject site is located approximately 200 metres south east of the Newmarket railway station and 550 metres north of Kensington railway station. Trams (Route 57) and busses operate along Racecourse Road which is located approximately 50 metres away from the site. The City of Melbourne's Traffic Engineer has viewed the proposal and has commented that it is considered acceptable that in this case that three of the smaller units need not be provided with car parking, on the basis that some residents will not have cars. It is considered that given the level of accessibility, as well as the site's proximity to the Racecourse Road activity centre, that residents of dwellings similar to that proposed do not necessarily require provision for vehicles.

Concerns have been raised that the proposal will increase traffic congestion on the street and that visitor parking will reduce the amount of on street parking available in the area. It is noted that car parking on the street is restricted to 2 hour parking (resident permit excepted), and parking in the Council car park to the rear of the site is restricted to 2 hours. The City of Melbourne Traffic Engineers notes that within

Kensington any residential development which increases density will not be eligible for a resident parking permit and as such the future residents would not be eligible for resident permits.

Taking into account the subject site's location on the periphery of the CBD, its proximity to public transport services, being unable to obtain resident parking permits and the short term nature of nearby on-street parking, it is considered that a reduction in car parking provision will encourage alternative modes of transport amongst residents. On the basis of the above, the proposed reduction of three resident spaces on site is considered to be acceptable.

The City of Melbourne Engineers and objectors raised concerns with the workability of the proposed car stacker system in terms of being able to enter and exit the site. These concerns were forwarded to the applicant who provided revised plans including a Traffic Report prepared by TTM Consulting (Vic) Pty Ltd dated 21 February 2013. This report explains that given the slope of the laneway to the rear of the site from north to south the laneway RL on the northern sides of each stacker unit will be slightly lower than the RL of the entry level platforms. Each stacker unit has been positioned vertically so that the centre of the platform on the entry levels aligns with the existing RL at that point on the laneway. The City of Melbourne's Engineers have viewed this and have commented that the changes made to the proposal have addressed Engineering Services' concerns.

Objectors also raised concerns with the 'useability' of the proposed car stackers noting that residents would be unlikely to use the stackers in preference of parking on the street. City of Melbourne Engineers have viewed the specifications and swept path diagrams for the stackers and are satisfied that they are accessible and useable in the context of the development. Given that car stackers are commonly used within developments there is no reason to suggest that residents of the proposed units that are allocated a space within the stackers will not use them.

14.2.2 Bicycle parking

Concerns were raised by the City of Melbourne's Engineers with the proposed uncovered bike rack at the front of the site. The applicant revised the plans to provide secured covered bicycle storage for five bicycles toward the front of the site. The bicycle parking provided is considered to be acceptable for the site and will provide residents with a convenient area to store and park their bikes. Considering that there is to be a reduction in the required amount of car parking for the site, the provision of easily accessible and well-designed bicycle parking will offer a convenient alternative to car parking on the site.

The City of Melbourne's Engineers have no concerns with the proposed bicycle racks or their location within the subject site. It is noted that there would also be room to store bikes in each unit's private open space if needed.

14.2.3 Waste Storage

The application was referred to the City of Melbourne's Urban Services engineer who made the following comments:

'A Waste Management Plan has not been prepared. 9 bins have been shown to be stored at the rear of the site adjacent to the garage and side walkway. 9 Bins is adequate for the development. It is assumed that bins will be wheeled to the front for collection. It is noted that this route includes an area treated with pebbles at the front of the building, which is not suitable. A hard surface is required. It cannot be assumed that Council's truck can access the rear lane for collection.'

The applicant formally amended the application to replace the proposed pebbles in the front garden with paving to facilitate the movement of rubbish bins. This is considered to mitigate any issues with transporting the bins to the front curb.

14.3 Potential Amenity Impacts

Several amenity concerns as a result of the proposed building have been raised following advertising. These concerns and areas of noncompliance with Clause 55 are discussed below.

14.3.1 Building Height

Concerns have been raised with the proposed overall height of the building. Standard B7 of the Melbourne Planning Scheme specifies a 9 metre height limit for the site and the three storey component of the building reaches a height of 9.75 metres which is 0.75 metres greater than the standard.

The objective of the 9 metre height limit is to ensure that proposed development does not dominate and detract from adjoining properties and the streetscape and to ensure the height respects the existing or preferred neighbourhood character of the area. The area of non-compliance with the height relates only to unit nine on the second floor. This unit is setback 1.97 – 3.62 metres from the front of the first storey and is setback 4.58 – 6 metres from the front property boundary. The second floor extends approximately 14.75 metres above the first floor resulting in a rear setback of approximately 21 metres.

Given the location of the site within an Activity Centre it is considered that exceeding the standard is not an unreasonable response for the site however it is considered that the current proposal is over ambitious with regard to height and that there is an opportunity to reduce the overall height across the site. Pridham Street slopes from north to south ensuring the proposed three storey development will not appear to be out of scale within the streetscape given the adjoining property to the north is two storeys and the buildings to the north of this of a higher scale again.

In order to reduce the bulk of the building and to further reduce the visibility of the third storey it is considered appropriate to require the overall height of the building to be reduced by 300mm across the site and for the front section of the second floor form to be no higher than 20.45AHD which is a 600mm reduction from that currently proposed.

The flat roof form, modifications to the overall height and generous setbacks from the front property boundary will minimise any bulk as viewed from the street and brings the overall height of the proposal down to a maximum of 9.15 metres which is considered to be a more acceptable level in the streetscape.

As amended, the proposed height of the building will offer a reasonable design response for the site. The height will not detract from or dominate the adjoining properties and coupled with the slope of the site and the proposed side and rear setbacks to the south, east and west will fit comfortably within the streetscape. The location of the site is one which higher densities are encouraged and as such an slight increase in the maximum building height is not considered to be unreasonable.

14.3.2 Site Coverage

The proposed building results in a total site coverage of 74.5%. This does not comply with Standard B8 of the Melbourne Planning Scheme which specifies a maximum of 60% site coverage. It is considered that the proposed site coverage is appropriate in this instance given the inner city location and being situated within an Activity Centre. It is considered that proposed site coverage is not out of character with the immediate area.

14.3.3 Permeability

The proposed permeability of the site is 16.25% in lieu of 20% as required by Standard B9 of the Melbourne Planning Scheme. Although the proposal does not comply with the standard it is proposed to incorporate rainwater tanks equalling 3600 litres within the development to help to catch water run-off and maintain water on site. The applicant has provided a Melbourne Water STORM assessment which indicates the proposal reaches compliance of 170%. Given the capacity to retain water on the site the proposed permeability is considered appropriate for the site.

14.3.4 Side and rear setbacks

The ‘side and rear setbacks’ objective of Clause 55.04-1 of the Melbourne Planning Scheme is 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 states that:

‘A new building not on or within 150mm of a boundary should be set back from side or rear boundaries (inter alia): 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.’

It is proposed to build on the northern boundary for the ground and first floor in four separate sections along the boundary. The provision would not apply to these sections as the walls fall on or within 150mm of the boundary. There are however first floor northern boundary setbacks proposed to four separate sections of the building as well as to the proposed second floor. These setbacks range from 0.9m - 1m at the rear west and front east of the site to 3.6 metres in the middle of the site.

As the building has varying wall heights, the following table gives an indication of the setbacks required for the site at first and second floor and what is proposed:

Height of wall	Required setback	Proposed setback
North		
6.4m	1.84m	3.6m
7.1m	2.19m	900mm
9.3m	4.39m	1.6 – 3.6m
South		
6.7m	1.93m	2.49 – 3.41m
7.4m	2.49m	3.41m

7.5m	2.59m	3.4m
9.6m	4.69m	2.49m
9.7m	4.79m	2.06m

The proposal therefore seeks variations from the side setback requirements of Standard B17.

Before deciding on an application (including a proposal to vary a setback under Standard B17) the decision guidelines must be considered. With respect to the variation to the setback requirements noted above any relevant neighbourhood character objective, policy or statement set out in the planning scheme.

There is no neighbourhood character overlay or otherwise for this area that would either bear in favour of or against a variation to side setbacks.

There are however references in the MSS to maintaining the 'low scale' of residential areas in Kensington, as well as a series of objectives set out in the Urban Design policy at Clause 22.17 that seek to ensure appropriate scale and bulk including:

'To ensure that the scale, siting, massing and bulk of development complements the scale, siting, massing and bulk of adjoining and nearby built form.'

'To ensure that the height of buildings relates to the prevailing patterns of height and scale of existing development in the surrounding area.'

'To reduce unacceptable bulk in new development.'

The proposed development has been designed to minimise bulk to the adjoining property to the North's south facing windows as well as to be appropriately separated from the adjoining property to the South's private open space.

The adjoining property to the north of the site is setback approximately 1.2 metres from its southern boundary with the front section of the dwelling being two storeys in height and the rear section being single storey. To the rear of the single storey section is a garage which is built to the southern property boundary. Several windows are located along the southern elevation of the adjoining property. The location of the walls on boundary and private open spaces of the proposed development have taken these windows into consideration and have allowed adequate setbacks to ensure light is able to be accommodated to these windows.

Concerns were raised with the originally advertised plans in regard to the bulk of the second floor toward the northern boundary and the streetscape. The applicant amended the plans following advertising by shifting the front portion of the second floor by 0.6 metres and also shifting the terrace off the northern side of the unit, this results in the majority of the front portion of the second floor being setback 2.2 metres from the northern property boundary and is considered to offer a reasonable setback which will result in sufficient separation between the two properties when viewed from the street.

The first floor setback to the north toward the front of the site varies from 1 metre to 1.6 metres. The first floor setbacks toward the rear of the site to the north are considered to be acceptable given that the building will predominately adjoin the

existing brick garage and verandah of the property to the north. It is noted that the first floor northern setbacks are 3.6 metres which are considered to be very generous and should not result in any unreasonable visual bulk to the adjoining property to the north.

The layout of the building allows for access to units 2, 3 and 4 along the southern property boundary as well as a walkway from the proposed car parks to the front of the site. This results in the built form being completely removed from the southern property boundary. The majority of the first and second floor is setback 2.49 metres from the southern boundary with the staircase toward the front of the site being setback 2.06 metres. This is considered appropriate as it abuts the single storey section of the property to the south which is built to the boundary. By locating the pedestrian access way along the southern boundary it ensures the development is removed from both the northern and southern boundaries as viewed from Pridham Street. The second floor unit is located opposite the double storey section of the property to the south which is built to the boundary.

At the rear of the site the first floor setback is increased to 3.41 metres where it directly abuts the private open space of the dwelling to the south. This is then reduced to 2.49 metres. It is considered that there is the opportunity to increase this setback from the entry of unit 8 to the entry of unit 7 to further reduce the bulk to the property to the south as well as to reduce the amount of shadow cast by this section of wall. Should a permit issue, a condition will require the first floor southern setback to be a minimum of 3.41 metres from the rear west of the site to the western edge of the entry door of unit 7. This setback exceeds the setback requirement to the south.

To the rear the property abuts a Council Lane where it is proposed to provide car access to the subject site. It is proposed to setback the ground and first floor 850mm from the rear property boundary and to provide a balcony to the boundary at first floor level. Given that a public car park is located to the west of the laneway the minor setback will not have any detrimental amenity or visual impact to any adjoining properties and will sit comfortably within the laneway whilst offering suitable passive surveillance to the rear public area. The additional height to the rear has been included to accommodate the double car stackers proposed to be used. A condition requiring the reduction in the overall height of 300mm will not interfere with the useability of the car stackers.

Having regard to the matters outlined above, it is considered that conditions requiring an increased setback to the first floor is justified and that and will appropriately reduce the visual impact caused by the proposed building.

14.3.5 Walls on Boundaries

The 'Walls on boundaries' objective at Clause 55.04-2 of the Melbourne Planning Scheme is:

'To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.'

Standard B18 states (inter alia):

'A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.'

And

‘The height of a new wall constructed on or within 150mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.’

It is proposed to construct 18.78 metres of wall on the northern property boundary. The northern property boundary length is approximately 40.23m in length. Standard B18 would therefore allow a new boundary wall of 17.55m (i.e. 10m + (25% of 30.23m) = 17.55m). The development therefore exceeds the standard by 2.54 metres.

Concerns have been raised in regard to the proposed height of the walls on the northern boundary. It is noted that there are to be five separate sections of wall to be built on the northern property boundary. From the front the first section is to be a maximum of 2.7 metres, to bedroom 1 of unit 2 and unit 6 a maximum of 6.4 metres, to bedroom 1 of unit 3 and unit 7 a maximum of 6.4 metres, to bedroom 1 of unit 4 and bedroom 2 of unit 8 a maximum of 6.4 metres and a maximum of 7.3 metres to bedroom 1 of unit 8.

These matters are not, in and of themselves, fatal to an application. A proposal does not necessarily need to meet all of the relevant standards. Indeed, this is often not possible on smaller inner city lots.

However, before deciding on an application (including a proposal to vary Standard B18) the responsible authority must consider the decision guidelines.

Any relevant neighbourhood character objective, policy or statement set out in this scheme.

As for side setbacks there is no specific neighbourhood character overlay or otherwise for this area that would either bear in favour of or against a variation to height and length of walls on boundary.

The design response

The design response that has been adopted has maximised the length of boundary walls along the northern boundary adjacent to the blank walls of the adjoining dwelling taking care to ensure that the proposed walls do not impede on the south facing windows of the adjoining property or the private open space of this dwelling. This includes locating walls along the boundary which abuts the adjoining properties garage which runs for a length of 9.9m along the boundary.

The extent to which walls on boundaries are part of the neighbourhood character

Whilst walls on boundaries are clearly part of the character of inner city Melbourne, and Kensington is no different in this regard, a review of the area suggests that there are examples of two storey walls being constructed to the boundary, this is usually adjacent to a simultaneously constructed wall on an adjoining site, and to a lesser extent for standard length garages at the very rear of sites accessed via rear laneways / ROWs. Further, where these walls do exist towards the rear of sites they are typically single storey (i.e. 3m) in height.

The visual impact of the building when viewed from adjoining properties

The visual impact of boundary walls in this instance on relates to the property to the north. Given the location of the walls it is considered the impact will be limited to this

site. The applicant has taken care in ensuring the walls located on the northern boundary do not abut the south facing windows of the property to the north. It is noted that the walls on the boundary to the rear abut the existing garage to the rear of 2 Pridham Street. The proposal is considered to result in an acceptable interface in regard to the location of the walls on the boundary.

The impact on the amenity of existing dwellings

Discounting 'visual impact' (which is addressed above), the impact on the 'amenity' as a result of the walls on boundaries is not considered to be unreasonable given the walls are on the southern boundary of the adjoining property at 2 Pridham Street and are located away from south facing habitable room windows. It is noted that a condition requiring the overall height of the building will result in the walls on the boundary being reduced by 300mm further assisting in reducing any amenity impacts to the adjoining property to the north.

The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property

This has been achieved well with respect to the rear of the development where the wall is built adjacent to the existing boundary wall of the garage, but, as a consequence of the existing site context hasn't been as successful along the remainder of the northern boundary. As previously discussed although the majority of the walls do not align with existing walls on the boundary, the location of the walls avoids the south facing windows of the adjoining property which is setback approximately 1.2 metres from the boundary.

The orientation of the boundary that the wall is being built on

The orientation of the walls on the northern boundary are clearly favourable having regard to potential overshadowing and loss of sunlight.

The width of the lot

The lot is 11.1 metres wide, this is larger than the majority of lots within the inner city Melbourne and Kensington for that matter, but it is not a particularly wide site. Given this, some leniency could be provided in terms of the length of walls on boundaries. The location of some walls on boundary with an imperative to provide north facing private open space for the dwellings is considered to be an appropriate outcome in this context.

The extent to which the slope and retaining walls or fences reduce the effective height of the wall

The subject site is not affected by slope from east to west. The existing 1.8 metre high fence along the northern boundary is proposed to be retained where there is no proposed walls on the boundary.

Whether the wall abuts a side or rear lane

The proposed wall is setback 850mm from the rear lane.

The need to increase the wall height to screen a box gutter

It is currently proposed to have a parapet height of 600mm to the building in which a box gutter sits behind. It is possible to reduce this parapet height and still screen the box gutter and as such a condition of permit will require the reduction in the overall height by 300mm.

Having regard to the matters outlined above the height and length of walls proposed on the northern boundary are not considered to result in any unreasonable visual or amenity impact.

14.3.6 Overshadowing

The secluded private open space (SPOS) at No.6 Pridham Street is approximately 45.77sqm in area. Standard B21 at Clause 55.04-5 states:

‘Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.’

The standard would therefore require that 34.32sqm of the SPOS at No.6 Pridham Street receive sunlight for 5 hours.

Based on information provided by the permit applicant, the area ‘unaffected’ by shadows would be as follows.

Time	Existing	Advertised Proposal	Proposed Conditions (1, a – f)
9.00am	14.6sqm	4.6 sqm	12.6sqm
10.00am	20.17sqm	14.07sqm	17.46sqm
11.00am	24.63sqm	18.61sqm	21.63sqm
12.00pm	27.01sqm	22.91sqm	26.94sqm
1.00pm	27.15sqm	21.25sqm	22.75sqm
2.00pm	22.82sqm	16.49sqm	17.85sqm
3.00pm	18.39sqm	11.28sqm	12.53sqm

It is clear from the above that at no time during the period from 9am to 3pm does the subject site receive 5 hours of sunlight to 34.32sqm of the space. Further, the

proposal would reduce the area unaffected by shadow by between 4.1sqm minimum (at 12pm) and by up to 10sqm (at 9am).

The standard states that:

‘If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.’

The proposal therefore clearly does not comply with the numerical standard to protect sunlight access to secluded private open space. It is considered that in order to further reduce the shadow impact on the adjoining properties private open space that the height of the development should be reduce and further setbacks be incorporated.

As previously discussed a condition will require the overall height of the proposal to drop by a minimum of 300mm and for the first floor southern setback to be a minimum of 3.41 metres from the rear west of the site to the western edge of the entry door of unit 7. It has also been identified that by deleting the en-suite to the second floor the overshadowing will be further reduced to the open space of the adjoining property. As can be seen in the above table these conditions will ensure the private open space to the south of the site will receive significantly more sunlight then currently proposed and subject to these conditions ensure the overshadowing meets the objectives of this clause, which is:

“To ensure buildings do not unreasonably overshadow existing secluded private open space”.

Although the application does not technically comply with the standard, the proposed conditions will reduce the amount of shadowing proposed in the advertised scheme and will result in an increase is shadowing to the adjoining property which is not considered unreasonable in this context.

In determining the appropriateness of the proposed overshadowing the location of the site and existing conditions need to be taken into consideration. Given the site is located within an area which is considered to be an Activity Centre, development that is more intense than would be normal in more suburban settings is to be expected. As such the level of amenity will not always be the same as afforded to outer city areas. In this instance, subject to conditions, there is considered to be access to an appropriate amount of sunlight for the rear yard to the south.

14.3.7 Daylight to windows

The proposed walls on the northern boundary have been located to ensure that the south facing windows to the dwelling to the north are provided with appropriate light courts and will have good access to light in the future.

14.3.8 Private Open Space

The Private open space objective at Clause 55.05-4 of the Melbourne Planning Scheme is to ‘provide adequate private open space for the reasonable recreation and service needs of residents.’

Standard B28 states that a dwelling or residential building should have private open space consisting of:

An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or

A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or

A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The proposed private open space for each dwelling varies in accordance with the size of the unit. Unit 1 is a one bedroom dwelling located on the ground floor and is provided with an 8.9sqm courtyard fronting onto the front property boundary and is also provided with a 5.13sqm courtyard to the northern boundary. Concerns have been raised that this private open space being located on the street is in an inappropriate location. It is noted that a front fence of 1.7 metres is proposed along part of the front eastern boundary and will ensure this area is able to be used as private open space.

Units 2, 3 and 4 are provided with approximately 13sqm of private open space in the form of north facing courtyards. These courtyards have direct access from the living areas of the dwelling and offer an appropriately sized open space for the dwellings.

Units 5, 6, 7, 8 and 9 are all provided with balconies in excess of 8sqm accessible from living areas in accordance with Standard B28.

Concerns have been raised in regard to the potential for noise to be created from the dwellings given the locations of the balconies and courtyards. It is considered that the proposal will not generate any noise in excess of that which could be expected from a residential building.

14.3.9 Front Fences

It is proposed to provide a 1.7 metre high front fence along Pridham Street which reduces in height to a 1 metre high slated fence toward the south of the site. The proposed higher fence is considered to be appropriate for the area which has a mix of fencing types and styles. The higher front fence in front of Unit 2 will provide privacy to this dwelling and the lower fence to the south of this will ensure the development is opened up to the street as well as providing good passive surveillance opportunities.

14.4 Other concerns

Concerns have been raised that the location of the proposed areas of private open space to each individual dwelling will result in future development constraints for the adjoining property to the north. It is noted that no applications have been lodged with the City of Melbourne to develop this site and as such the existing site context has been taken into consideration in this proposal.

14.5 Conclusion

The proposed development, subject to conditions is considered to be appropriate for the site. A reduction in the height and increased setbacks will ensure that the development does not result in unreasonable overshadowing and visual bulk to the adjoining properties. By reducing the overall height of the building it is considered that the built form will fit comfortably within the streetscape and will not be out of character with the immediate area.

15 RECOMMENDATION

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that a Notice of Decision to Grant a Permit be issued for the proposal subject to the following conditions:

1. Prior to the commencement of the development hereby permitted, including demolition, the applicant must submit to the Responsible Authority three copies of plans drawn to scale generally in accordance with the plans received on 7 March 2013 but amended to show:
 - a). A reduction in the wall height between Grid Lines 1 and 2 to a maximum of 18.3 AHD.
 - b). A reduction in the wall height between Grid Line 2 and the western boundary of Unit 9 to a maximum of 17.7 AHD.
 - c). A reduction in the wall height between the western boundary of Unit 9 to Grid Line 5 to a maximum of 20.75 AHD.
 - d). A reduction in the wall height to unit 9 east of Grid Line 5 to a maximum of 20.45 AHD.
 - e). The first floor southern setback to be a minimum of 3.41 metres from the rear west of the site to the western edge of the entry door of unit 7.
 - f). The removal of the ensuite to bedroom 2 of unit 9 to achieve a further setback of 2.5 metres from the southern boundary and 1.8 metres from the western boundary.

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. Prior to the commencement of the development hereby permitted, including demolition, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority. This construction management plan is to be prepared in accordance with the *City of Melbourne - Construction Management Plan Guidelines* and is to consider the following:
 - a). public safety, amenity and site security;
 - b). operating hours, noise and vibration controls;
 - c). air and dust management;
 - d). stormwater and sediment control;
 - e). waste and materials reuse; and
 - f). traffic management.
4. No architectural features and building services other than those shown on the endorsed plans are permitted above roof level unless otherwise approved in writing by the Responsible Authority.
5. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.
6. Provision to be made for solar water heating/ rainwater collection and other sustainable development features to be incorporated into the development.
7. Prior to commencement of development, a scheme for landscaping and planting in connection with the proposed development must be submitted to, and be approved by the Responsible Authority. The scheme must

incorporate water sensitive urban design features to the satisfaction of the Responsible Authority. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.

8. The owner of the subject land must construct a drainage system, incorporating integrated water management design, within the development and make provision to connect this system to the City of Melbourne's stormwater drainage system in accordance with plans and specifications first approved by the Responsible Authority – Manager Engineering Services Branch.
9. All necessary vehicle crossings adjacent to the subject land must be constructed and all unnecessary vehicle crossings demolished in accordance with plans and specifications first approved by the Responsible Authority – Manager Engineering Services Branch.
10. The Owner of the subject land will not be permitted to alter the existing footpath / road levels in Pridham Street and Laneway known as CL119 for the purpose of constructing new vehicle or pedestrian entrances without first obtaining the written approval of the Responsible Authority – Manager Engineering Services Branch.
11. The footpath in Pridham Street must be reconstructed including the renewal and/or relocation of kerb and channel as necessary, at the cost of the owner/developer in accordance with plans and specifications first approved by the Responsible Authority – Manager Engineering Services Branch.
12. No garbage or surplus material generated by the permitted use may be deposited or stored outside the site and bins must be returned to the waste room as soon as practicable after waste collections to the satisfaction of Group Manager Engineering Services City of Melbourne.
13. All waste storage and collections must be to the satisfaction of Group Manager Engineering Services City of Melbourne.
14. 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

This permit does not constitute any authority to carry out any building works or occupy part of the building unless all relevant building permits are obtained.

Any requirement to temporarily relocate street lighting must be first approved by the City of Melbourne – Manager Engineering Services Branch.

All street lighting temporarily relocated must be reinstated to the satisfaction of the City of Melbourne - Manager Engineering Services Branch.

All necessary approvals and permits are to be first obtained from the City of Melbourne – Manager Engineering Services Branch and the works performed to the satisfaction of the City of Melbourne – Manager Engineering Services Branch

Under the Resident Priority Parking Permit scheme, occupiers of the development approved by this permit are not eligible to obtain resident priority parking permits or visitor vouchers.

16 DECISION

The Lord Mayor, Deputy Lord Mayor and Councillors were notified of the above recommendation on 10 May 2013.

The signature and date below confirms that the Lord Mayor, Deputy Lord Mayor and Councillors affirmed this recommendation as the Council's decision.

Signature:

Nicholas McLennan

Planning Officer

Date affirmed: