

Clause 55

Pursuant to the provisions of the zone, the proposal must meet the requirements of Clause 55. The application has been assessed against these provisions and found to be highly compliant with two numerical standards varied acceptably. A discussion of the main issues identified in this assessment are below:

55.02-1 Neighbourhood character objectives

- To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- To ensure that development responds to the features of the site and the surrounding area.

Standard No	Comments – Standards and Objectives Met
Standard B1	See main report.

55.02-2 Residential policy objectives

- To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard No	Comments – Standards and Objectives Met
Standard B2	The proposed development will support Clause 2.03-6 (Housing) by providing housing that is of a scale and density appropriate to its location to accommodate Yarra Ranges' increasing population and variable housing needs as described in Clause 11.02-1S (Supply of Urban Land).

55.02-3 Dwelling diversity objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard No	Comments – N/A
Standard B3	N/A

55.02-4 Infrastructure objectives

- To ensure development is provided with appropriate utility services and infrastructure.
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard No	Comments – Standards and Objectives Met
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Standard B4	The site is already connected to the required services.
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55.02-5 Integration with the street objective

- To integrate the layout of development with the street.

Standard No	Comments – Standards and Objectives Met
Standard B5	The front dwelling will interact with the road frontage and the other dwellings will interact with the common accessway.

55.03 SITE LAYOUT AND BUILDING MASSING

55.03-1 Street setback objective

- To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard No	Comments –Objective Met, variation to the standard is justified.
Standard B6	<p>The front dwelling will have a minimum setback of 7 metres to the street frontage, as opposed to a minimum of 9 metres recommended by the standard.</p> <p>A variation to the standard is justified for the following reasons:</p> <ul style="list-style-type: none"> The site is within a Consolidation Area where reduced setbacks may be encouraged because higher residential density is encouraged by the Scheme. Many recent multi-unit developments in the area have reduced setbacks to the street frontage. Given that new development in the area are provided with reduced setbacks, the irregular shape of this allotment and the location of the site on a bend along Central Avenue, it is considered acceptable to propose a slightly reduced front setback of 7 metres. <p>The proposed front setback will provide sufficient space for the provision of at least two canopy trees within the front setback of the development to minimise the visual impact of the development.</p>

55.03-2 Building height objective

- To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard No	Comments – Standards and Objectives Met
Standard B7	The maximum building height is 9 metres is less than the maximum of 11 metres recommended by the zone provisions.

55.03-3 Site coverage objective

- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard No	Comments – Standards and Objectives Met
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Standard B8	The site coverage of 40.4 per cent is much less than the maximum of 60 per cent required by the standard.
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55.03-4 Permeability objectives

- To reduce the impact of increased stormwater run-off on the drainage system.
- To facilitate on-site stormwater infiltration.

Standard No	Comments – Standards and Objectives Met
Standard B9	Approximately 36.6 per cent of the site area will contain permeable area which exceeds the minimum required.

55.03-5 Energy efficiency objectives

- To achieve and protect energy efficient dwellings and residential buildings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard No	Comments – Standards and Objectives Met
Standard B10 Buildings should be:	The living areas and the secluded private open spaces of the dwellings are located to receive adequate solar access as required by the standard. The proposal will also not be detrimental to the energy efficiency of the adjoining sites.

55.03-6 Open space objective

- To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard No	Comments – N/A
Standard B11	The site does not adjoin a public open space.

55.03-7 Safety objective

- To ensure the layout of development provides for the safety and security of residents and property.

Standard No	Comments – Standards and Objectives Met
Standard B12	The entrance to each dwelling is easily visible from the street frontage or the common accessway. No high front fence that will prevent the visibility of the front dwellings from the street is proposed.

55.03-8 Landscaping objectives

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
- To provide appropriate landscaping.
- To encourage the retention of mature vegetation on the site.

Standard No	Comments – Standards and Objectives Met
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Standard B13	<p>No trees proposed to be removed require a permit for their removal.</p> <p>There are adequate spaces around the dwellings that can be appropriately landscaped to improve the landscape character and street presentation of the development. In this regard a landscape plan was submitted with the application and would be endorsed as part of any approval.</p>
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55.03-9 Access objectives

- To ensure vehicle access to and from a development is safe, manageable and convenient.
- To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Standard No	Comments – Standards and Objectives Met
Standard B14	<p>The access to the site from the street frontage will be via a double-width crossing. The existing crossing will be reconstructed and connected to a common accessway to extend to the rear of the site.</p> <p>The driveway has been provided with adequate space for car turning circles in front of garages, to provide exit in a forward direction to the roadway. The use of a single crossing for access is respectful of the existing neighbourhood character.</p> <p>The crossover is 6.59 metres wide and a 6.1 metre driveway provides as a passing bay at the entrance.</p> <p>The width of the vehicle crossing does not exceed 33 per cent of the site frontage.</p>

55.03-10 Parking location objectives

- To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the development and the neighbourhood.
- To protect residents from vehicular noise within developments.

Standard No	Comments – Standards and Objectives Met
Standard B15	<p>The parking areas provided are convenient to the dwellings that they are intended for and will not cause detrimental impact in respect to vehicle noise. The parking areas for each dwelling are in the form of a single garage or double garage, with easy access available internally to their respective dwellings.</p>

55.04 AMENITY IMPACTS

55.04-1 Side and rear setbacks objective

- 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 No	Comments –Met, variation to the standard required.
Standard B17	<p>The development is setback from the rear boundary by 3.5 metres to avoid the existing easement and provide open space at the ground level.</p> <p>The setback from the southern boundary for dwelling three is 1.61 metres at the ground level and 1.71 metres on the upper level. Based on the overall wall height of 5.58 metres, a setback of 1.77 metres is required on the upper level. The proposed setback is slightly under the requirement; however, this is considered to be a negligible amount.</p> <p>The setback from the southern boundary for dwelling six is 2.71 metres on the ground level and 3.98 metres on the upper level. A slight encroachment is proposed by the study room on the ground floor, however, the minimum 1 metre requirement is met. Based on the maximum wall height of 6.73 metres, a setback of 2.12 metres is required on the upper level, which meets the standard.</p> <p>It is submitted that the proposal is also consistent with the neighbourhood character, whereby reduced setbacks are proposed in order to facilitate higher density developments.</p>

55.04-2 Walls on boundaries objective

- 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 No	Comments – Standards and Objectives Met
Standard B18	No walls on site boundaries.

55.04-3 Daylight to existing windows objective

- To allow adequate daylight into existing habitable room windows.

Standard No	Comments – Standards and Objectives Met
Standard B19	The setbacks of the walls of the dwellings to adjoining habitable room windows are adequate and satisfy the requirements of the standard.

55.04-4 North-facing windows objective

- To allow adequate solar access to existing north-facing habitable room windows.

Standard No	Comments – Standards and Objectives Met
Standard B20	The neighbouring property to the south has north-west facing habitable room windows which won't be affected by the proposed development at the equinox. This is considered acceptable.

	The setback provisions do not apply in this case, as the windows of the neighbouring property are not oriented within North 20 degrees to the West, as required by the standard.
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55.04-5 Overshadowing open space objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

Standard No	Comments – Standards and Objectives Met
Standard B21	The proposal does not cause detrimental overshadowing to private open space of neighbouring properties (see Shadow Diagrams for further details). Some overshadowing occurs post 2.00pm to the 26 Central Avenue, however at least 40 square metres of the secluded private open space would receive a minimum of 5 hours of sunlight between 9.00am and 3.00pm on 22 September and therefore the objectives and requirements of this standard are met

55.04-6 Overlooking objective

- To limit views into existing secluded private open space and habitable room windows.

Standard No	Comments – Standards and Objectives Met
Standard B22	At the ground floor, overlooking will be prevented by existing and proposed timber boundary fences, which would have a minimum height of 1.8 metres. The upper floors of the dwellings are generally designed such that windows with potential overlooking impact on the adjoining sites will have obscure glazing in parts of the windows below 1.7 metres from the floor level of the windows to prevent overlooking.

55.04-7 Internal views objective

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard No	Comments – Standards and Objectives Met
Standard B23	No internal overlooking possible.

55.04-8 Noise impacts objectives

- To contain noise sources in developments that may affect existing dwellings.
- To protect residents from external noise.

Standard No	Comments – Standards and Objectives Met
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Standard B24	The noise from the site will be domestic residential noise.
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55.05 ON-SITE AMENITY AND FACILITIES

55.05-1 Accessibility objective

- To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard No	Comments – Standards and Objectives Met
Standard B25	The entrances to the proposed dwellings could easily be made accessible for people with limited mobility.

55.05-2 Dwelling entry objective

- To provide each dwelling or residential building with its own sense of identity.

Standard No	Comments – Standards and Objectives Met
Standard B26	Each dwelling will have an easily identifiable entrance with each dwelling to have a sense of identity.

55.05-3 Daylight to new windows objective

- To allow adequate daylight into new habitable room windows.

Standard No	Comments – Standards and Objectives Met
Standard B27	All the habitable room windows of the dwellings will have adequate setbacks to the site boundaries as required by the standard and will receive adequate daylight and ventilation.

55.05-4 Private open space objective

- To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard No	Comments – Standards and Objectives Met
Standard B28	<p>The proposal meets this objective as per the plans, the proposed total/ secluded private open spaces of the dwellings are as follows:</p> <p>Dwelling 1 – 35 square metres. Dwelling 2 – 43 square metres plus 8 square metres balcony Dwelling 3 – 45 square metres plus 9 square metres balcony. Dwelling 4 – 91 square metres. Dwelling 5 – 33 square metres. Dwelling 6 – 39 square metres.</p> <p>The secluded private open space of each dwelling is directly accessible from the living area of the dwelling.</p>

55.05-5 Solar access to open space objective

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard No	Comments – Standards and Objectives Met
Standard B29	The secluded private open space of each dwelling will have adequate solar access as required by the standard. All areas of private open space achieve excellent levels of solar access. Northeast facing balconies are proposed to dwellings two and three, open space areas of dwellings four to six are north-east facing and open space area of dwelling one is north-west facing.

55.05-6 Storage objective

- To provide adequate storage facilities for each dwelling.

Standard No	Comments – Standards and Objectives Met
Standard B30	Each dwelling has been provided with either internally or externally located storage space.

55.06 DETAILED DESIGN

55.06-1 Design detail objective

- To encourage design detail that respects the existing or preferred neighbourhood character.

Standard No	Comments – Standards and Objectives Met
Standard B31	The proposed buildings with their mixed materials, skillion roofs and muted colours will blend appropriately into the neighbourhood. They offer a contemporary appearance with features that link back to the older areas of the neighbourhood.

55.06-2 Front fences objective

- To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard No	Comments – Standards and Objectives Met
Standard B32	No front fence proposed.

55.06-3 Common property objectives

- To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
- To avoid future management difficulties in areas of common ownership.

Standard No	Comments – Standards and Objectives Met
Standard B33	The common accessway will be within common property and will be appropriately managed. The proposal does not include the subdivision of land.

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55.06-4 Site services objectives

- To ensure that site services can be installed and easily maintained.
- To ensure that site facilities are accessible, adequate and attractive.

Standard No	Comments – Standards and Objectives Met
Standard B34	Sufficient space is available for the provision of services. Mailboxes locations are indicated along the front boundary and ample space is available for the private storage of bins within the garages or rear yards of each dwelling.