

Clause 55 Assessment

Neighbourhood Character and Infrastructure

- 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.

The large nature of the site, the Residential Growth Zone zoning and the location of the site adjacent to the Chirnside Park major activity centre places it in a unique situation. In response the proposal creates a new character that is appropriately aligned with its context whilst providing responsive interfaces to its more sensitive south and east boundaries, where the built form character is of a lower density in the Neighbourhood Residential Zone.

The development includes a range of continuous and broken built-form elements over an extensive area, with façade articulation and roof forms that are generally distinct from the character in the nearby area but cohesive within the site.

The proposal avoids high fences, prominent garages and driveways and its outward facing elements respect the preferred character of this area.

Residential policy

- 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.

The proposal is accompanied by an acceptable written statement and design response. The proposal generally complies with the State Planning Policy Framework, the Local Planning Policy Framework including Council's Municipal Strategic Statement and local planning policies. The proposal provides an appropriate residential response consistent with the planning policy framework.

Dwelling diversity

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

The proposal provides a range of dwelling types and sizes. These are distinctly different from those typically found in the area. The proposal includes residential aged care facility and retirement village components which also provide dwelling diversity.

Infrastructure

- 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.

The development is to be located in an established area where there is adequate infrastructure. The proposal will not exceed the capacity of local infrastructure. Application has been advertised to external service authorities and their conditions included in the recommendation. See also assessment regarding roads and drainage.

Integration with the street

- To integrate the layout of development with the street.

The proposal provides adequate vehicle and pedestrian links with separate pedestrian entries. The development fronts the existing and proposed street network. No high front fencing is proposed with fencing to be a maximum 1.2m. The only exception is adjacent to areas of significant grade difference, however such fencing will have minimal streetscape presence. The proposal provides good integration with the public and proposed internal road networks with vehicle access managed, entries accessible and visible from the street and habitable room windows providing good passive surveillance of the public realm. The slope of the land has provided some challenges but overall the interface is excellent.

Pedestrian access to Fletcher Road and Manchester Road should be improved, particularly to bus stops in these roads. Improved bus facilities, footpath in Fletcher Road, footpaths extended in Hedwig Drive and a pedestrian crossing in Fletcher Road to access the footpath on the north side of Fletcher road are all recommended by permit conditions to improve integration with the street.

Street setback

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

Street setbacks provide sufficient space for landscaping and are appropriate having regard to the adjoining front setbacks, the Residential Growth Zone and location of the site in a major activity centre.

The front setback of the adjoining dwelling in Hedwig Drive is 11.2m. The standard therefore requires a setback of 9 metres for Apartment 1 where a setback of 4.9m to 15.5m is proposed. This design provides ample landscaping opportunities with large setbacks and is an appropriate response having regard to the zone and the policy framework with only a single crossover limiting landscaping opportunities..

The front setbacks of the adjoining dwelling in Manchester Road is 10 metres. The standard therefore requires a setback of 9 metres for Apartment 2 where a setback of 8.2m to 7.2m is proposed. Having regard to the consistency of front setbacks proposed the design presents an appropriate front setback to Manchester Road. This design provides ample landscaping opportunities with large setbacks and is an appropriate response having regard to the zone and the policy framework.

The apartments front façades are appropriately articulated.

The front setbacks will not result in unreasonable visual bulk when viewed from the street or adjoining properties, noting upper floor setbacks.

The proposed setback results in efficient use of the site.

Building height

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

Building heights are appropriate with heights ranging from single storey to four storey development with a maximum height of 16.5 metres proposed. The heights are responsive to adjoining sensitive interfaces and the slope of the land representing a considered design response. See also assessment under Clause 53.17 for Residential aged care facility.

Site coverage

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

The area covered by buildings should not exceed a site coverage of 80%. Lot 1 has a permeability of 33% and lot S6 has a permeability of 32%. The site coverage is below the 80% maximum specified in Clause 53.17.

Permeability and stormwater management

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

The proposal has a permeability of 32%. The development has adequately demonstrated how stormwater will meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) and contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. A standard Water Sensitive Urban Design condition is required.

Energy efficiency

- 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.

See ESD Assessment. The design response has generally oriented dwellings north to south and east to west to make appropriate use of solar energy. Living areas and private open space are generally located on the north side of the development.

Open space

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

The site is not adjacent to any areas of public or communal open space. The development has sufficiently integrated dwelling outlooks to the public realm and open space proposed within the development including Apartment building 1 to the north storm water zone and other dwellings to common open space areas throughout the development.

Safety

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

The development sufficiently integrates good visibility and surveillance of car parking areas and internal accessways.

The entrances to the dwellings are adequately visible from the internal accessway and/or the street.

Subject to conditions the development is designed to provide good lighting, visibility and surveillance of car parking and the internal accessway.

The private open space within the development is protected from inappropriate use as a public thoroughfare.

Landscaping

- 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.

The proposal provides canopy landscaping opportunities. The development has generally provided sufficient area for the growth of canopy trees, however the proximity of adjacent built-form and retaining walls limits this in some locations. The development generally provides a safe, attractive and functional environment for residents.

Access

- 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.

Vehicle access to the townhouse dwellings is to the rear and streetscapes have no crossovers or garages visible. The rear internal roads are intended for service use only and provide some opportunities for landscaping.

Access to the Residential Aged Care facility is via two proposed crossovers to East Ridge Drive. The western crossover is located on a blind corner close to the intersection with Hedwig Drive and it is recommended that this access be for emergency use only by permit condition.

Parking location

- 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.

Car parking is secure for all dwellings. "On street" visitor car parking is proposed for apartments and dwellings, noting that the streets are not yet proposed to be public roads. As a design response this is not wholly inappropriate as there is no amenity impact upon those streets, given there are no residents.

Side and rear setbacks

- 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.

The site is generally an island site surrounded by roads or commercial uses other than the dwellings adjacent to the south boundary. The proposed apartment setbacks are generous and responsive to the dwellings to the south. The proposal compliant with the relevant standard and satisfies the objective.

Walls on boundaries

- 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.

No walls are proposed on the southern boundary.

Daylight to existing windows

- To allow adequate daylight into existing habitable room windows.

The setbacks for the proposed apartment buildings are generous and the dwelling lots have a minimum setback of 4 metres to the southern boundary. These measures will ensure that there won't be any impacts to adjoining dwellings.

North-facing windows objective

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

The setbacks for the proposed apartment buildings are generous and the dwelling lots have a minimum setback of 4 metres to the southern boundary. These measures will ensure that there won't be any impacts to adjoining dwellings.

Overshadowing open space

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

The setbacks for the proposed apartment buildings are generous and the dwelling lots have a minimum setback of 4 metres to the southern boundary. These measures will ensure that there won't be any overshadowing impacts to adjoining dwellings.

Overlooking

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

The south facing windows on levels 1 through to 3 in Apartment building 1 close to Hedwig Drive are setback between 19 and 21 metres from the boundary to the established residential area. With these setbacks, no screening measures are required by this standard. The second apartment building close to Fletcher Road has six windows on the south elevation that require screening to prevent overlooking towards existing dwellings. This screening requirement can be conditioned in the decision.

Internal views

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

Internal views between townhouses are avoided because of the side by side development form. Balconies are appropriately screened to prevent views to immediately adjoining balconies.

Noise impacts

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

Both apartment buildings have services in the basement, which will significantly minimise noise emissions beyond the building. Both apartment buildings also have the roof top plant centrally located and are approximately 30 metres from the southern boundary. These measures should significantly reduce the potential for noise impacts onto nearby existing dwellings.

Accessibility

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

The apartments buildings have the main foyers accessible from finished ground void of any stairs and lifts are provided internally to access all levels.

Dwelling entry

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

Both apartment buildings require entrances that more robustly identify the entrances and this will be required by way of a condition in the decision. All town houses are provided with an appropriate and suitably defined entrance.

Daylight to new windows

- To allow adequate daylight into new habitable room windows.

The proposal complies with this standard,

Private open space

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

The proposal town houses and apartments are provided with either ground level open space, balconies, or a combination of both, which complies with the standard.

Retirement Village independent living units (Lot A)

- type V1 – single storey 38.1 square metres of north facing private open space of minimum 3 metre dimension
- type V2 – single storey minimum 21 square metres of north facing private open space of minimum 3 metres dimension ()

- UO under – double storey 19.4 square metres of east facing sunken courtyard private open space with minimum 3.5 metre dimension (type)
- type UO over – double storey 7.2 square metres of west facing balcony private open space with minimum 2.4 metre dimension
- type T1 under – double storey 11.4 square metres of east facing sunken courtyard private open space of minimum 3 metre dimension and 8.5 square metres of private open space of minimum 2.5 metre dimension in the front setback
- type T1 over – double storey 29.4 square metres of west facing balcony private open space of minimum 4.2 metre dimension
- type T2 under – double storey 11.4 square metres of south facing terrace private open space of minimum 3 metre dimension and 8.5 square metres of private open space of minimum 2.5 metre dimension in the north setback ()
- type T2 over – double storey 29.4 square metres of north facing balcony private open space of minimum 4.2 metre dimension
- type T3 under – double storey 39.8 square metres of west facing terrace private open space of minimum 3 metre dimension
- type T3 over – double storey 11.4 square metres of west facing terrace private open space of minimum 3 metre dimension and 8.5 square metres of balcony private open space of minimum 2.5 metre dimension in the east setback
- type T4 under – double storey 22.5 square metres of east facing sunken courtyard private open space of minimum 3 metre dimension
- type T4 over – double storey 20 square metres of west facing terrace private open space of minimum 2.9 metre dimension
- type T5 under – triple storey 16.5 square metres of west facing terrace private open space of minimum 2.7 metre dimension
- type T5 middle – double storey 9.1 square metres of east facing terrace private open space of minimum 2.4 metre dimension and 8.7 square metres of balcony private open space of minimum 2.3 metre dimension in the east setback
- type T5 over – triple storey 29.4 square metres of east facing balcony private open space of minimum 4.1 metre dimension

Retirement Fletcher Road apartments

- Open spaces in north facing terraces or balconies of minimum 14 square metres area with a minimum dimension of 2.1m.

Townhouse dwellings:

- type R1 - 26.5 square metres of private open space in the front setback.
- type R2 - 26 square metres of private open space in the front setback
- type R5 - 7.9 square metres of balcony space of maximum 1.2 metre dimension

- type R6 - 24 square metres of balcony space of maximum 2.2 metre dimension.

Apartment Building 1:

- Dwellings have balconies 6 square metres to 15 square metres of minimum 1.1 metres dimension.

Apartments Building 2:

- Dwellings have balconies of 6.5 square metres to 15.5 square metres of minimum 1.15 metres dimension.

With the exception of balconies the open space areas are appropriate for higher density living in the Residential Growth Zone, providing appropriate orientation, dimension, usability, amenity and integration with living areas

Balconies should be required to meet minimum dimension requirements of Clause 55.

Solar access to open space

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

Solar access is considered acceptable for a development of this intensity.

Storage

- To provide adequate storage facilities for each dwelling.

For a dwelling 6 cubic metres of storage is the standard requirement. No storage is provided for dwellings or apartments. A condition is included in the decision requiring more 6 cubic metres of storage for each town house dwelling and apartment building dwelling.

For residential aged care facility storage needs will be similar to standard dwellings and it is recommended that 6 cubic metres of storage be required by permit condition.

Design detail

- To encourage design detail that respects the existing or preferred

Whilst it is acknowledged the site is somewhat unique to the Chirnside Park area and it will create a new character response, it must also respect its context – both local physical context and wider unique character of the Municipality. This proposal achieves this to an appropriate standard, providing built at appropriate scale with good landscaping opportunities.

Front fences

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

The proposed front fencing for the town houses is appropriate in the context of this development site not having a direct connection to surrounding residential area. The proposed front fencing strongly relates to the proposed built form.

Common property

- 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.

It is intended that all roads be public roads, including the rear access to townhouses. Whilst Council waste vehicles should use this access for waste collection it is recommended that this be common property.

Site services

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

The design has not provided sufficient space for all services normal to a dwelling such as space for bicycle parking, waste bins which are in car spaces and requirements as required by the Waste Management Plan and Council (third organic bin also required by the sustainability assessment), outdoor clothesline as required by the sustainability assessment and rainwater tanks to comply with stormwater requirements of Clause 55.03-4 and Clause 53.18.

As the internal road is to be private and not designed to Council requirements, there may be a requirement for all post deliveries to be made to a single set (or "cluster") of letterboxes located at the edge of the property