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CITY OF PRAHRAN.

By-Law No. 183.

Residential Flats.

A By-law of the City of Prahran, made under section 198 of the *Local Government Act 1928*, and numbered 183, for regulating and restricting the erection and construction of buildings and prescribing the minimum area and minimum width of frontage of land upon which any dwelling house or any dwelling house and shop combined may hereafter be erected, and providing that every dwelling house hereafter erected shall have attached thereto for the exclusive use of the occupiers thereof a prescribed area of open land and with respect to buildings thereon erected for—

- (1) Regulating or limiting the height of buildings.
- (2) The ventilation and lighting of buildings.
- (3) The minimum size of any dwelling rooms.
- (4) The minimum area to be covered by any dwelling house or any dwelling house and shop combined.
- (5) Requiring any work or thing to be executed or done of such materials within such time or in such manner as may be directed or approved in any particular case by the Council or any officer or person authorized in that behalf by the Council.

IN pursuance of the powers conferred by the *Local Government Act 1928*, the Mayor, Councillors, and Citizens of the City of Prahran order as follows:—

Definition.

1. "Flat" means a suite of two or more rooms occupied or designed, or intended or adapted to be occupied as a separate domicile. "Residential Flats" means a building which contains three or more flats.

Flats.

2. No person shall build or erect, or cause to be built or erected, any residential flats except in accordance with the conditions herein stated and subject to the requirements of By-law No. 137.

Dwelling Room.

3. Every dwelling room in any residential flats shall be not less than nine feet in height from the floor to the ceiling, and shall contain not less than 800 cubic feet of space.

Area and Frontage.

4. The minimum area and the minimum width of frontage of land upon which any residential flats may be erected in any street specified in the Schedules A and B hereto shall be that stated in such schedules with respect to such street.

Area Limit.

5. No residential flats shall be erected on any land in any street which is not specified in the said schedules unless such land shall have an area of not less than 6,000 square feet.

Height.

6. No residential flats exceeding two storeys in height shall be erected on any land in any street or part of street specified in Schedules A and B hereto.

Floors and Walls.

7. The walls between each flat shall be constructed of brick at least nine inches thick, or cement concrete not less than six inches thick. All such walls shall be carried up to the reinforced concrete floor above any such flat, but in the case of single-storey residential flats and of the top floors of residential flats exceeding one storey in height, such walls shall be carried at least up to the top of the rafter line. Floors of residential flats other than ground floors shall be constructed of reinforced concrete of such thickness as may be approved

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by the City Surveyor. Provided that nothing herein contained shall preclude the covering of such floors other than those of bath rooms and water closets with wood or such other material as may be approved by the City Surveyor.

Stairs.

8. No stairs in residential flats shall be constructed with a greater rise than seven inches or with a tread of less than ten inches.

Stairs Headway.

9. All stairs in residential flats shall have a clear headway of not less than six feet six inches and balustrades not less than two feet ten inches in height, and shall be effectively lighted and ventilated to the satisfaction of the City Surveyor.

Walls.

10. The walls of residential flats shall be constructed of brick, stone, or concrete, or such other fire-resisting material as may be approved by the City Surveyor.

Bathrooms, &c.

11. The floor of every bathroom and water closet in residential flats shall be constructed of such impervious material as may be approved by the City Surveyor.

Distances from Streets and Side Boundaries.

12. Where the side wall of any residential flats exceeds thirty feet in length such flats shall not be constructed nearer to any street frontage or side boundary of the site on which such residential flats are being built or erected, or intended to be built or erected, than the distances from such street boundary and side boundary respectively set out hereunder, that is to say:—

- (a) If such site contains not less than 8,000 square feet—
Twenty feet from the street boundary and ten feet from the side boundaries.
- (b) If such site contains less than 8,000 square feet and not less than 7,000 square feet—Fifteen feet from the street boundary and eight feet from the side boundaries.
- (c) If such site contains less than 7,000 square feet and not less than 6,000 square feet.—Ten feet from the street boundary and six feet from the side boundaries.
- (d) Where the side wall of a building is under thirty feet in length such wall may be constructed at a distance of not less than six feet from the side boundaries of such site.
- (e) In computing the distance of any such building from any boundary all porticoes, ornamental entrances (not exceeding twenty feet in length), and stairways or steps shall be excluded.

Corner Sites.

13. In the case of a site situated at the corner of two streets (not being lanes or passages less than 15 feet in width), such residential flats shall not be erected nearer than 20 feet from one street boundary and 10 feet from the other street boundary, and the City Surveyor shall be entitled to decide as to which of such streets such respective distances shall apply.

Area to be Built On.

14. No residential flats erected or to be erected in any street mentioned in Schedules A and B shall occupy more than 40 per cent. of the area of the site on which such flats are erected or to be erected, unless such site is at the corner of two streets, in which case such flats shall not occupy more than 50 per cent. of the area of such site, but in every case all out-buildings shall be deemed to be part of and included in the area occupied by such flats.

Dispensation.

15. Where the area of any site on which it is proposed to build or construct residential flats is equal to or exceeds the area prescribed by this By-law, but the frontage of such site is less than is so prescribed, the Council, on the written application of the owner of such site, may dispense with compliance with the provisions of this By-law as to the frontage of such site: Provided that such dispensation is agreed to by a resolution carried by a majority of the members of the Council at a meeting of which seven clear days' notice has been given stating that such resolution will be proposed.

Penalty.

16. Any person who is guilty of any wilful act or default contrary to any of the provisions of this By-law shall be liable to a penalty not exceeding Twenty pounds for each offence, and in the case of a continuing offence to a further penalty of Two pounds for each day such offence is continued after written notice of the offence from the Council.

SCHEDULE OF STREETS, MINIMUM AREAS AND FRONTAGES FOR RESIDENTIAL FLATS.

Schedule A.

Minimum Area 8,000 square feet. Frontage 70 feet.

| | |
|--|---------------------------------------|
| Albany-road. | Landale-road. |
| Alexandra-avenue. | Lascelles-avenue. |
| Avalon-road. | Lansell-road. |
| Balfour-street. | Maple-grove. |
| Clendon-road (north of Malvern-road). | Montalto-avenue. |
| Chastleton-avenue. | Orrong-road. |
| Como-avenue. | Russell-street (off Grange-road). |
| Dandenong-road (east of The Avenue). | Redcourt-avenue. |
| Grange-road. | Robertson-street. |
| Grant-avenue. | St. George's-road. |
| Heyington-place. | Stonehaven-court. |
| Hill-street. | Torresdale-road. |
| Hampden-road (south of Avondale-road). | Tahara-road. |
| Illawarra-avenue. | Towers-road. |
| Iona-avenue. | Trawalla-avenue. |
| Irving-road. | Tyalla-road. |
| Kingsley-court. | Wallace-avenue. |
| Kooyong-road (north of Malvern-road). | Williams-road (north of Toorak-road). |
| | Woorigoleen-road. |

Schedule B.

Minimum Area 7,000 square feet. Frontage 60 feet.

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| Armada-street. | Mathoura-road. |
| Avenue, The. | Murphy-street. |
| Bruce-street. | Myoora-road. |
| Caroline-street (Toorak-road to Alexandra-avenue). | Punt-road (north of Toorak-road). |
| Dandenong-road (west of The Avenue). | Rockley-road. |
| Denbigh-road. | Selborne-road. |
| Domain-road. | Shipley-street. |
| Douglas-street. | Springfield-avenue. |
| Fulham-avenue. | Stradbroke-avenue. |
| Grandview-grove. | Sutherland-road. |
| Hampden-road (north of Avondale-road). | Tintern-avenue. |
| Kensington-road. | Toorak-road (east of Rockley-road). |
| Kooyong-road (south of Malvern-road). | Wattletree-road. |
| Lechlade-avenue. | Williams-road (Toorak-road to Malvern-road and Dandenong-road to Gooch-street). |
| Linden-court. | |

Schedule C.

The minimum area of land upon which residential flats may be erected in streets other than those set out in the above Schedules A and B shall be 6,000 square feet.

Resolution for passing this By-law agreed to by the Council on the twenty-seventh day of March, One thousand nine hundred and thirty-three.

Confirmed the first day of May, One thousand nine hundred and thirty-three.

The common seal of the Mayor, Councillors, and Citizens of the City of Prahran was hereunto affixed in the presence of—

(SEAL) A. W. COLE, Mayor.
WM. B. LUMLEY, Councillor.
JOHN ROMANIS, Town Clerk.

Approved by the Governor in Council, the 20th day of June, 1933.

C. W. KINSMAN,
Clerk of the Executive Council.