

Report to the Future Melbourne Committee

Agenda item 6.1

Planning Permit Application: TP-2020-533 6-10 MacArthur Place North, Carlton

16 March 2021

Presenter: Larry Parsons, Practice Leader Land Use and Development

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for partial demolition, external alterations, and buildings and works to construct three dwellings on a lot at 6-10 MacArthur Place North, Carlton (refer attachment 2 – Locality Plan).
2. The applicant has lodged a Section 79 appeal (failure to determine) with the Victorian Civil and Administrative Tribunal (VCAT). As such, Council is being requested to form a position on the proposal which will now be determined by VCAT.
3. The applicant is Best Hooper Lawyers who are acting on behalf of Mr John Peter Piccolo who is also the owner. The architect is DP Toscano Architects Pty Ltd.
4. The site is located in a General Residential Zone Schedule 1 (GRZ1), Heritage Overlay (HO1 Carlton Precinct), and Parking Overlay Schedule 12 (PO12).
5. The existing building on the site is identified as being a contributory heritage place in a non-categorised streetscape. The proposal seeks to carry out demolition beyond the first two rooms in depth of the existing building and construct a three storey building with roof terrace and one basement level. The new structure is to be set back 11 metres from the MacArthur Place North boundary and measures 9.35 metres to the parapet and 10.9 metres to the balustrade of the roof terrace. Each storey is to contain one dwelling (three in total) and the basement level will contain three car parking spaces and waste facilities. The basement car parking is to be accessed via Nicholls Lane to the north.
6. Public notice (advertising) of the application was undertaken and 66 objections and two letters of support have been received.

Key issues

7. The key issues for consideration are heritage; neighbourhood character; urban design and built form; potential amenity impacts to adjoining properties; traffic; and the design response in relation to a previous similar application on the land that was refused by Melbourne City Council and VCAT (TP-2018-59).
8. The proposed development is an acceptable response to the demolition and built form guidance at Clause 22.05 (Heritage Places outside the Capital City Zone). The retention of the principal part of the building, setback and partial concealment of the addition, and design response provide for a development that will not unreasonably detract from the character or appearance of the heritage place or Carlton Precinct. The height of the proposal provides for a reasonable transition from the two storey building on the site to the three storey buildings to the north, without obscuring views of any adjoining heritage place.
9. The proposed car parking provision does not require a permit in this instance and the limited on-site car parking will not result in unreasonable or unsafe traffic conditions.
10. The design of the proposal has addressed the issues previously identified by VCAT in the reasons for the refusal of TP-2018-59. This includes reducing the extent of demolition, reducing the building height, including more design detail, and increasing the front and side setbacks.
11. The development is consistent with all relevant State and Local Planning Policy and is an acceptable response to the relevant residential development provisions of Clause 55. An appropriate level of internal amenity will be afforded for future residents and the development will have no unreasonable amenity impacts on adjoining properties.

Attachments:

1. Supporting Attachment (Page 3 of 98)
2. Locality Plan (Page 4 of 98)
3. Selected Plans (Page 5 of 98)
4. Delegate Report (Page 33 of 98)

Recommendation from management

12. That the Future Melbourne Committee resolves that, had an appeal against failure not been lodged with VCAT, the Melbourne City Council would have issued a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer attachment 4 of the report from management).

Supporting Attachment

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (Act) sets out requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. An appeal has been lodged under section 79 of the Act for a failure to grant a permit, section 84 of the Act applies. Section 84 provides that:
 - 2.1. The Council may decide on an application for a permit at any time after an application is made for review of the failure of the Council to grant the permit.
 - 2.2. Except in accordance with the advice of the principal registrar of VCAT the Council must not issue or give a permit, notice of decision or notice of refusal to the applicant, a referral authority or any objector after an application is made to the Tribunal for review of a failure to grant a permit.

Finance

3. There are no direct financial issues arising from the recommendations contained within this report.

Conflict of interest

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

Health and Safety

5. Relevant planning considerations such as traffic and waste management, potential amenity impacts and potentially contaminated land that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

6. Public notice of the application has been undertaken to surrounding owners and occupiers, pursuant to Section 52 of the Act.

Relation to Council policy

7. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

Environmental sustainability

8. The Environmentally Sustainable Design (ESD) report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 22.19 (Energy, Water and Waste Efficiency) and 22.23 (Stormwater Management) of the Melbourne Planning Scheme.

Attachments:

1. Supporting Attachment (Page 2 of 50)
2. Locality Plan (Page 3 of 50)
3. Selected Plans (Page 4 of 50)
4. Delegate Report (Page 25 of 50)

Locality Plan

6-10 MacArthur Place North, Carlton



HERITAGE WORKS SPECIFICATION NOTES

GENERAL SCOPE

Demolition

Demolish and remove all built form / structures to the rear of the properties, generally identified as rooms below the skillion roof forms. Principal built forms of the heritage place comprise the front two rooms / front two roof pitches to each of the three adjoining properties. Remove degraded building fabric, principally

- roofing iron,
- broken rendered surfaces,
- timber beam detail verandah balustrade
- all south facing timber windows and doors
- timber fencing to property line / propping posts
- entry paving tiles
- exposed and redundant building services

New Building Scope

- Replace roofing
- Make good masonry walls
- Remove old windows / doors and reinstate new
- Form new verandah balustrades, generally 40 x 40mm aluminium box sections at 120mm centres, with 70 x 70mm matching top and bottom rail, black bronze powdercoat finish.
- Property fencing and gates to match balustrade.
- New ground floor verandah paving and landscape

SPECIFICATION OF THE WORKS

Site / Description of the Heritage Place

The Heritage Place is comprised of the main buildings on the site as well as other elements of the site, such as landscaping, fences and gates etc. all of which make a contribution to the heritage significance of the place, and should be considered in the evaluation prior to carrying out any work.

Roof

Remove existing metal roofing sheets and flashings, and all rainwater goods to entire area of all roofs. Replace with new galvanised corrugated metal roofing and matching flashings, gutters and downpipes.

Structure

Stabilize, consolidate or repair surviving structural members and systems. Supplement or replace only unsound material.

Avoid repairs which are stronger than the existing fabric and may lead to differential stress cracking.

Avoid disturbing existing footings with new excavations that could weaken the structure.

Masonry

Cleaning:
Clean masonry surfaces to remove harmful substances and to reveal deterioration. Use low pressure water spray and soft natural bristle brushes, without the use of excessive water which may cause efflorescence and hasten deterioration of the masonry.

Repair:
Patching material must match the old fabric as nearly as possible in colour, grain, bedding, durability, porosity and chemical composition. Render or mortar mix is to match existing material to avoid detrimental interaction

When replacing mortar or render use mixes that are compatible with the brick or stone.

Avoid the use of electric saws or pneumatic hammers.

Maintain existing damp-proof courses and flashings where possible. Replace if integrity / performance is compromised.

Mortar Mix:

Composition of mortars to be generally consistent with that originally used in the building. As a general guide, mortars ought always to be weaker than the material they bind; a stronger mix is required for hard bricks.

Adopt the following mixes are suggested:

Soft bricks & repointing:

1:3 lime : sand.

1:2:9 cement : lime : sand in moderate exposure

1:1:6 in severe exposure

Render on External Walls:

Do not remove original renders.

Hairline cracks can be repaired by applying a fine skim coat with a sponge.

No textured finishes are to be used.

Avoid the use of waterproof additives or finishes.

Metal

Form, or recast and replace, only missing or unsound elements.

Maintain protective coatings on ferrous metals.

Do not alter the colour, texture, tone or patina of the metal by inappropriate cleaning. All metal cleaners are abrasive to some degree.

Remove the cause of corrosion. If not, use the mildest cleaning agent, then a reversible sealant.

Conserve foundry nameplates or stencilled trademarks.

Cast iron replacement is available. Aluminium casting is acceptable but should be of the right profile.

Corrugated Roofing

Corrugated iron is a traditional material and must be reused where possible.

Use sheets of the same length as the roof under repair.

Corrugated galvanized Custom Orb and galvanized Custom Blue Orb should be used in preference to Colorbond or Zinalume Custom Orb.

Colorbond colours are generally not appropriate for heritage buildings. Traditional springhead nails should be used for fixings.

Roof Plumbing

Use the correct guttering and downpipes that matches the fabric of buildings within the area. Downpipes on older buildings are usually round. Gutter profiles come in half round, ogee and quad forms.

Timber & Joinery

Repair unsound timber.

When timber is structurally weakened use epoxy resin for repairs.

Retain all hardware, replacing only deteriorated or missing elements with matching elements.

Paint and Other Finishes

Carefully evaluate whether existing early paint finishes are significant and should be retained before painting over or removal.

Where there has been overpainting, and it is practical to do so, take paint scrapes to find out the original colours and also any decoration used, such as stencilling.

Modern high gloss or satin paint finishes are inappropriate.

Use water based paint on masonry buildings in preference to oil paint.

Fences and Gates

Retain as much of the original fence material as possible and replace only what is absolutely necessary. The precise replication of historic detail is not generally appropriate.

Cast iron palisade fences on masonry plinths may be regenerated by aluminium or steel metal hollow section fencing as an inappropriate substitute for wrought and cast-iron fencing.

ANALYSIS DRAWINGS

DWG No.	Rev	TITLE
TP00_A1		ESD SECTION
TP00_A2		SITE CONTEXT
TP00_A3		SITE ANALYSIS
TP00_A4		DESIGN RESPONSE
TP00_A5		SHADOW DIAGRAMS - EXISTING
TP00_A6		SHADOW DIAGRAMS -PROPOSED
TP00_A7		SHADOW STUDIES - POS
TP00_A8		SHADOW STUDIES (2)- POS
TP00_A9	-	GOOD DESIGN ANALYSIS - GROUND
TP00_A10	-	GOOD DESIGN ANALYSIS - 1ST
TP00_A11	-	GOOD DESIGN ANALYSIS - 2ND
TP00_A12	-	GOOD DESIGN ANALYSIS - ROOF
TP00_A13	-	GOOD DESIGN ANALYSIS - BASEMENT

ARCHITECTURAL DRAWING LIST

DEVELOPMENT PLANS

DWG No.	Rev	TITLE
TP-01		SITE PLAN + AREA SUMMARY
TP-02		GROUND FLOOR PLAN
TP-03		LEVEL 1 PLAN
TP-04		LEVEL 2 PLAN
TP-05		ROOF PLAN
TP-06		BASEMENT PLAN

ELEVATIONS + SECTIONS

DWG No.	Rev	TITLE
TP-07		ELEVATIONS 1
TP-08		ELEVATIONS 2
TP-19		ELEVATIONS 3
TP-10		ELEVATIONS 4
TP-11		SECTION
TP-12		SECTION
TP-13		INTERNAL AMENITY ANALYSIS
TP-14		STREETSCAPE ELEVATION & CROSS SECTION

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE -
DATE November_2017
Project No [2]1711/2
Dwg: TP00

AMENDMENTS			
Rev	By	Date	Description
-		30.4.20	Initial Issue

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NOTES
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REFERENCE DOCUMENT

"Better Apartments Design Standards"
The State of Victoria Department of Environment, Land, Water & Planning

ESD PRINCIPLES

WATER

stormwater harvesting irrigation system for planterbox areas throughout

VINIDEX "Storm Pro" (900mm diam) corrugated pvc pipe + pits

minimum 10metre length pipe, used as stormwater retention, connected to legal discharge point

consideration of a greywater system - explore feasibility for use of harvested water to toilet cisterns

water saver features to shower heads throughout

SOLAR

photovoltaics to rooftop: power generation use for public lighting system, building automation controls, operation of carpark doors + general security systems

solar hot water: roof top panels serving individual apartments and incorporating a gas-fired boost

POWER + LIGHTING

minimum "5-star" appliances
LED or fluorescent ceiling light fittings

"on demand" lighting to public areas

NATURAL LIGHT + VENTILATION

all apartment designs allow full cross ventilation - night purge system available

metal battens forming facade screen provide sun shading and privacy

PLANTING + TREES

planterboxes provided to upper terraces

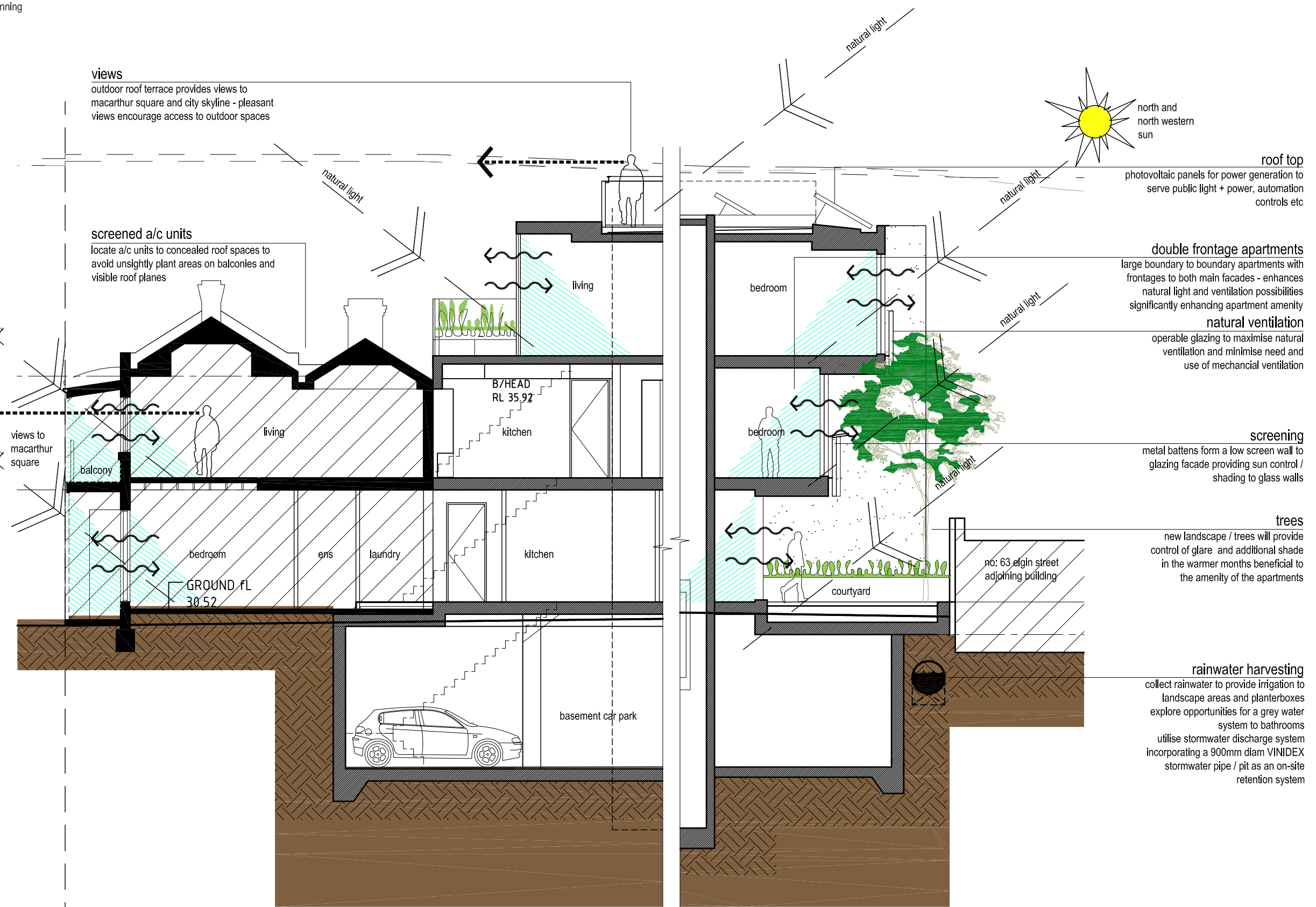
planting + trees create a pleasant, natural environment

MATERIALS

select materials with a view to minimise the embedded energy attributes of the new building

concrete slabs and edge beams create thermal mass at the building edges allowing radiant qualities to permeate the apartment spaces

maximise opportunities for reflective insulation + bulk insulation to wall and roof areas



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE November_2017

Project No [2]1711/2
Dwg: TP00_A1

AMENDMENTS			
Rev	By	Date	Description
-		12.04.20	Initial Issue

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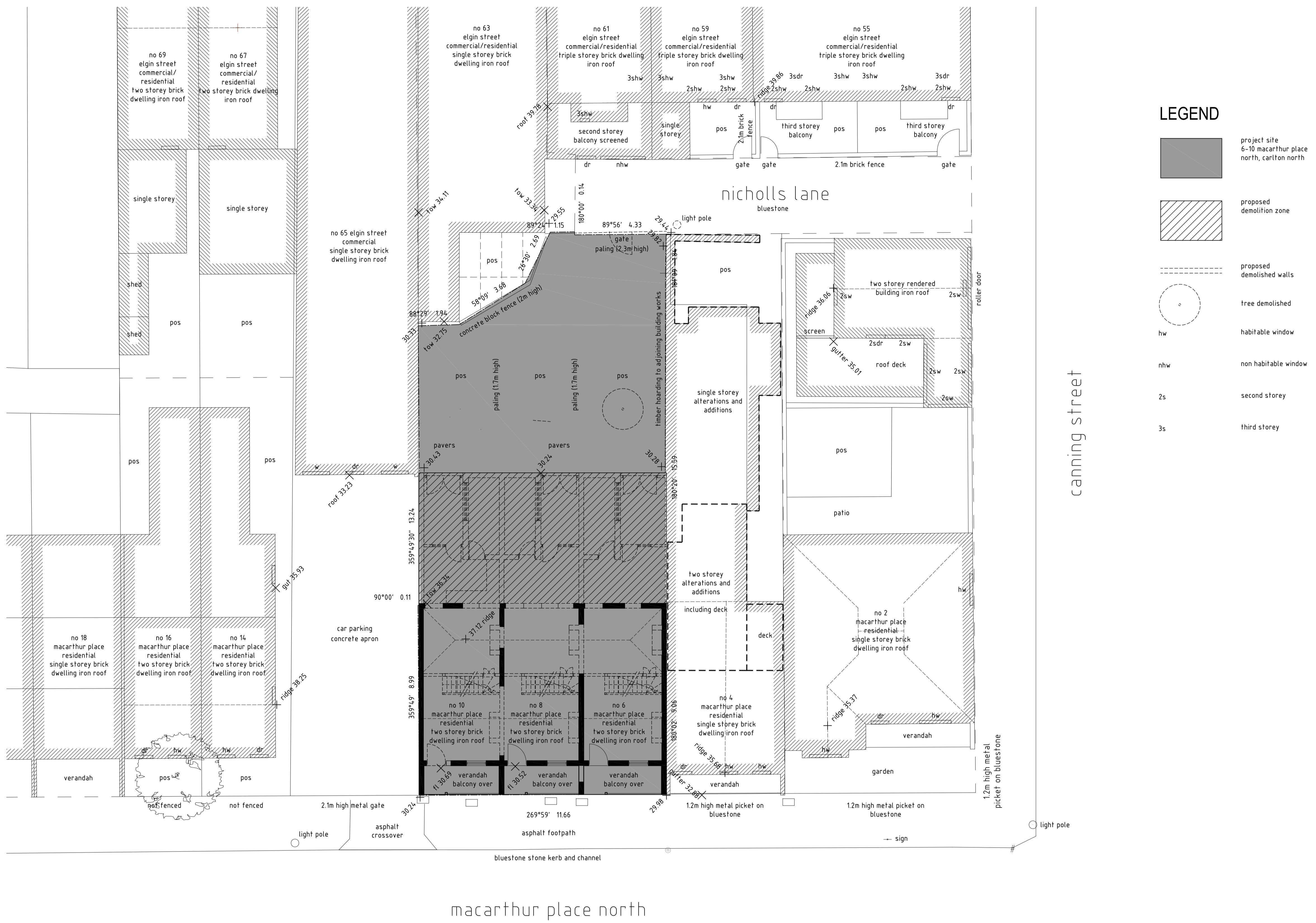
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esd section

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macarthur place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

site plan: existing site context

SCALE 1:100@A1
DATE NOVEMBER 2017

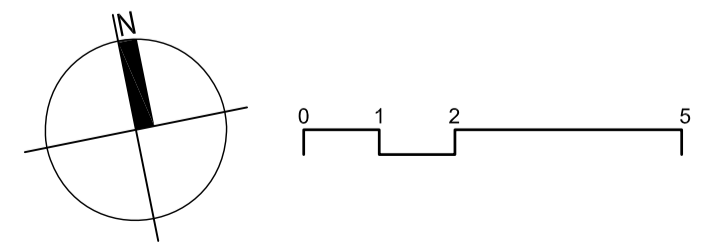
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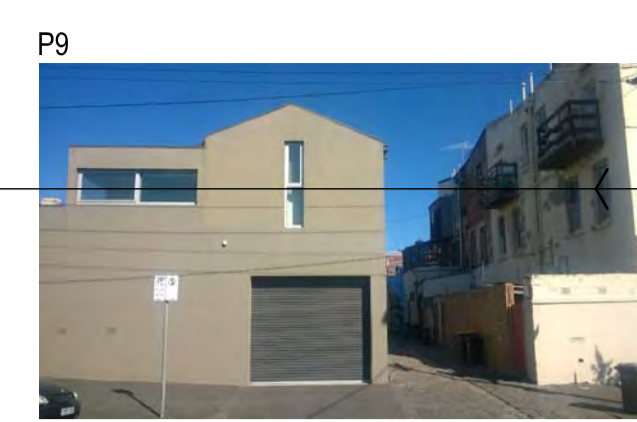
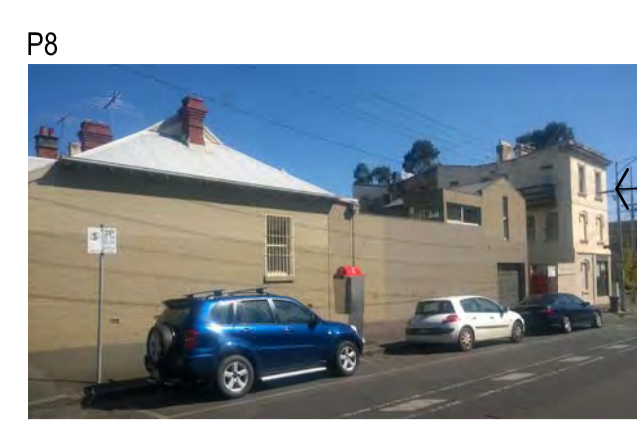
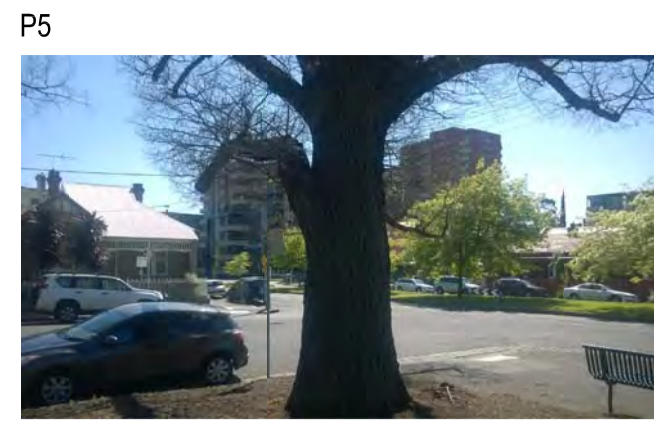
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three storey buildings to Nicholls lane



22 macarthur place north
3 storey modern addition to existing building

building bulk 1
new roof terrace located to rear of site obscured by existing/new and adjoining building bulk

building bulk 2
new additional building bulk located to the rear of the building mostly obscured by existing and adjoining building bulk

street interface
existing building facade retained, formal common pedestrian access created through existing facade opening to access internal entry foyer

street
single traffic lane in each direction separated by macarthur square, line marked parking to both sides



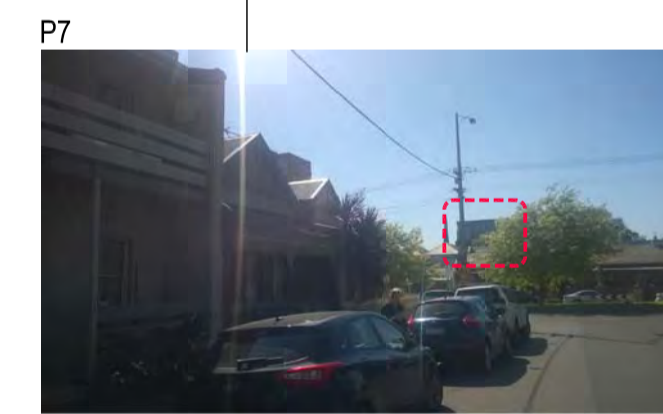
site carparking
new basement carparking and access point created below ground floor level, access is via the existing rear lane and new site entry point reducing pressure on existing street carparking and the visibility of onsite carparking.

building bulk 3
additional building bulk to adjoining property

existing building
existing building retained under the heritage overlay and remodeled under current use and zoning refer to Heritage Advisor report



54a canning street off nicholls lane
3 storey modern alterations and additions to existing building with balcony



Street view looking east
54a canning street in the back ground

- LEGEND**
- GRZ1 General residential zone 1
 - GRZ1+2 General residential zone 1+2
 - PPRZ Public park and recreation zone
 - RGZ1 Residential growth zone 1
 - C1Z Commercial 1
 - HO Heritage overlay
 - PO Parking overlay
 - ESO Environmental significance overlay
 - Traffic Noise
 - Public transport
 - 1S 1 Storey Building
 - 2S 2 Storey Building
 - 3S 3 Storey Building
 - VA vacant land
 - sp street parking
 - site photo view point
 - residential Interface

macarthur place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

site analysis + site context 1

SCALE 1:500@A1
DATE JULY 2017

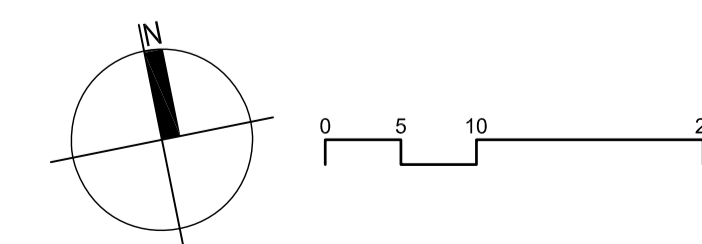
Project No [2]1711/2
Dwg: TP00_A3

AMENDMENTS			
Rev	By	Date	Description
-	-	12.05.20	Initial Issue

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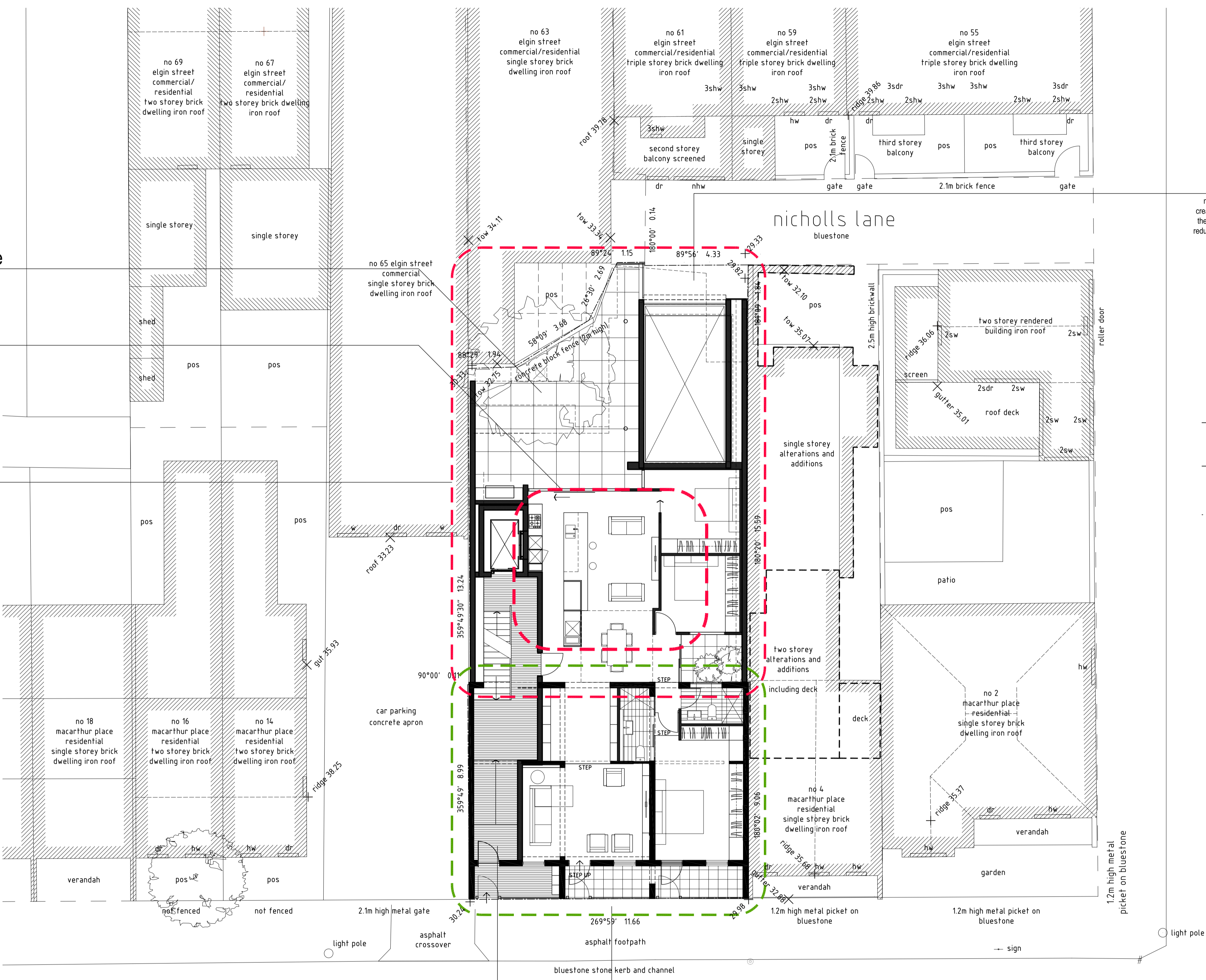
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LEGEND	
hw	habitable window
nhw	non habitable window
2s	second storey
3s	third storey

private open space

new private terrace and balcony spaces allocated to each apartment facilitating natural and cross ventilation and natural light penetration to internal spaces

building bulk 1

new roof terrace located to rear of site obscured by existing/new and adjoining building bulk

building bulk 2

new additional building bulk located to the rear of the building mostly obscured by existing and adjoining building bulk

site carparking

new basement carparking and access point created below ground floor level, access is via the existing rear lane and new site entry point reducing pressure on existing street carparking and the visibility of onsite carparking.

street interface

existing building facade retained, formal common pedestrian access created through existing facade opening to access internal entry foyer

existing building

existing building retained under the heritage overlay and remodeled under current use and zoning refer to Heritage works specification, included with this submission

macarthur place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

SCALE 1:100@A1
DATE JULY 2017

Project No [2]1711/2
Dwg: TP00_A4

AMENDMENTS			
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-	-	12.05.20	Initial Issue

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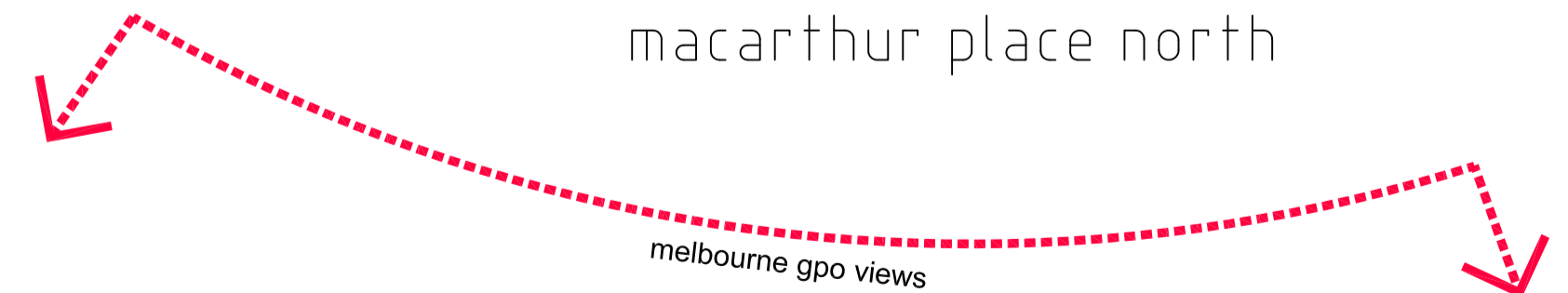
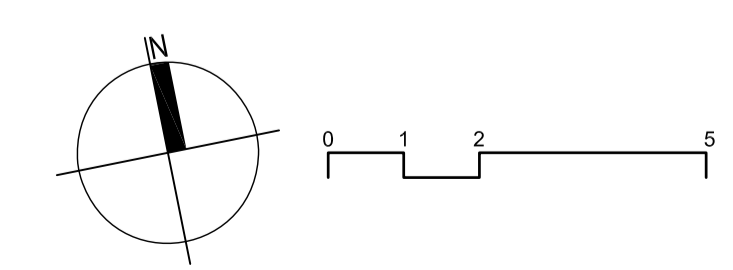
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site plan: design response

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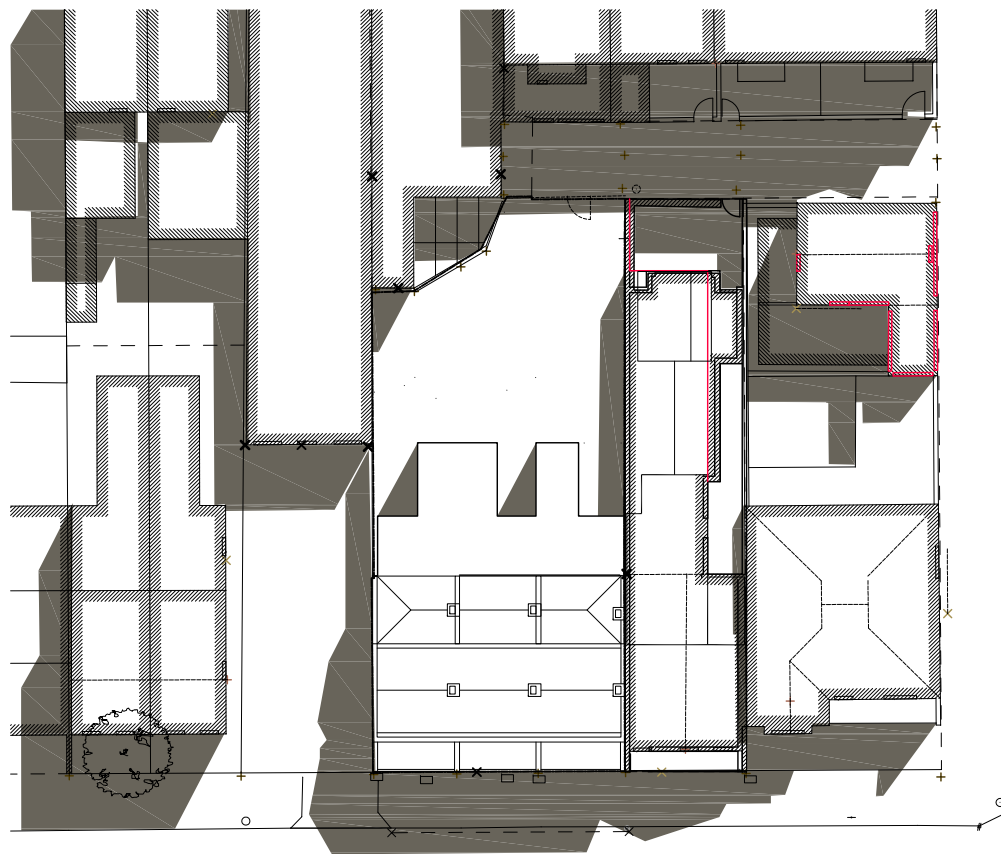
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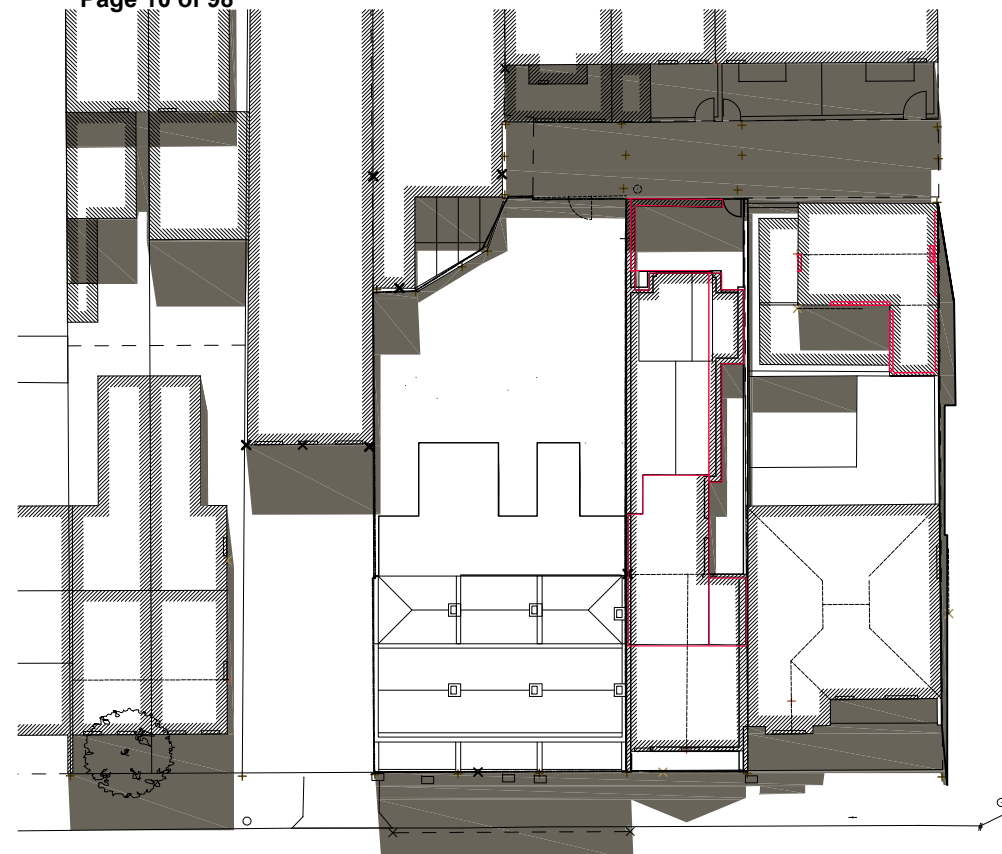


macarthur place north

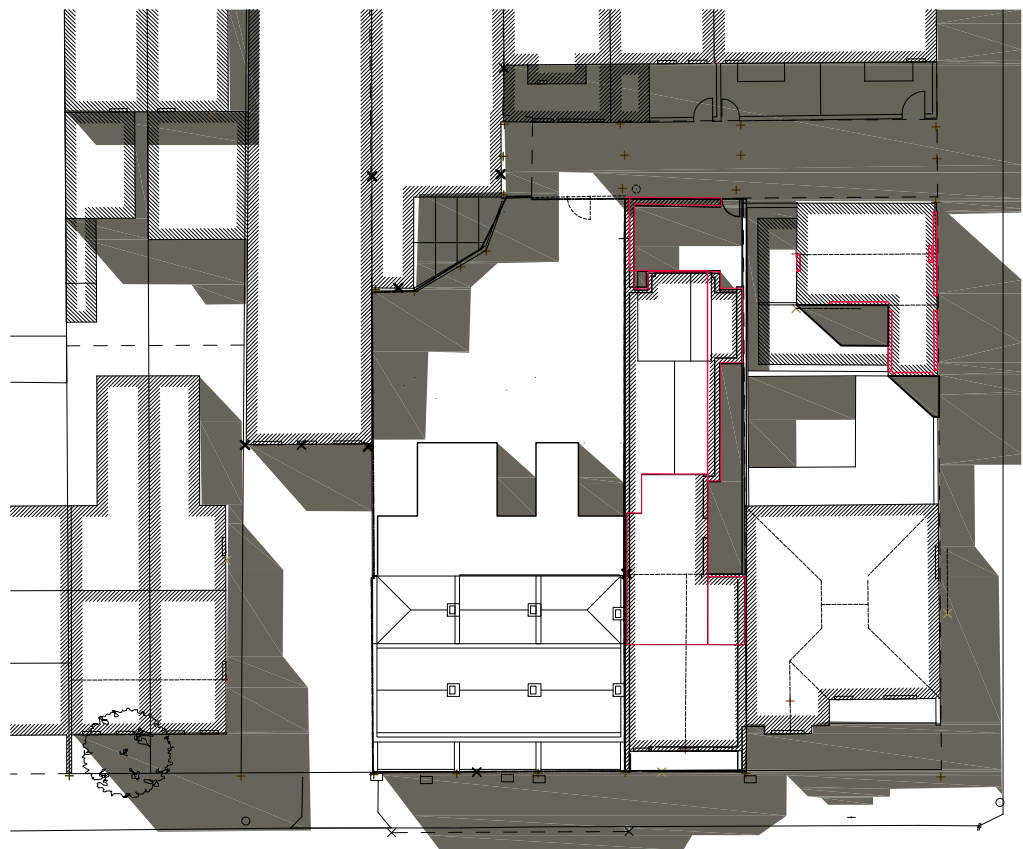
melbourne gpo views



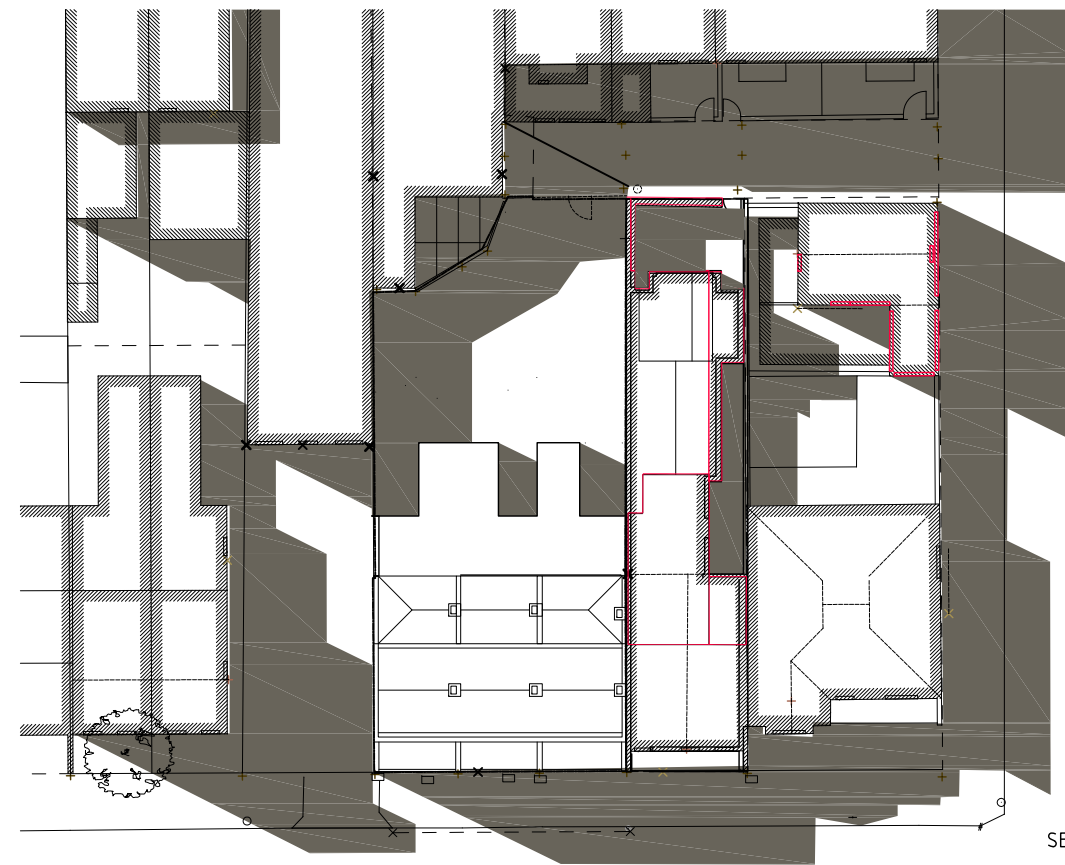
SEPTEMBER 22 11AM



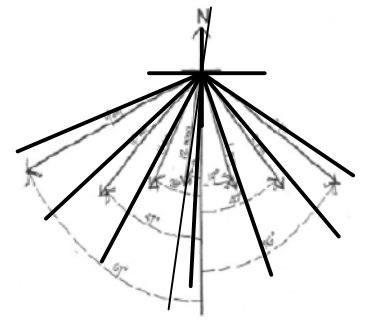
SEPTEMBER 22 12PM



SEPTEMBER 22 2PM



SEPTEMBER 22 3PM



Angle of shadow 22 September
The 22 September equinox datum has been chosen as it is slightly more generous than the March equinox in terms of afternoon sun access.

Length of shadow on 22 September

Time	Sun altitude (degrees)	Shadow length of a 1m high post
9am	32°	1.6m
10am	41°	1.15m
11am	49°	0.87m
12noon	52°	0.78m
1pm	50°	0.84m
2pm	45°	1.0m
3pm	38°	1.3m

PRIVATE OPEN SPACE DIMENSION FOR NEW DWELLINGS (PA9)

Wall height (h) forming northern edge	Distance (d) from wall to south boundary of private open space = (2 + 0.5h)m
1m	2.9m
1.6m (eg fence)	3.4m
3m (eg single storey)	4.7m
5.6m (eg double storey)	7.2m
8.6m (eg three storey)	9.7m

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:350 @A3
DATE APRIL_2020

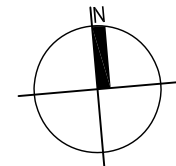
Project No [2]1711/2
Dwg: TP00_A5

AMENDMENTS			
Rev	By	Date	Description
-		20.04.20	Initial Issue

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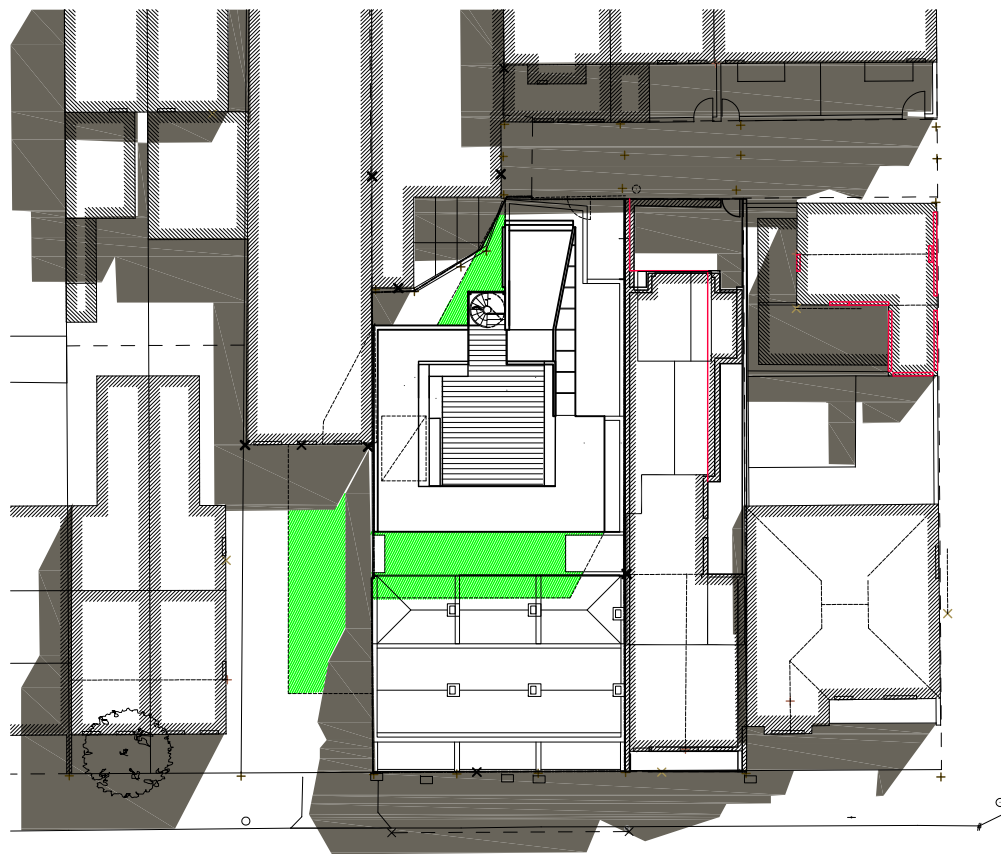


shadow studies - existing conditions

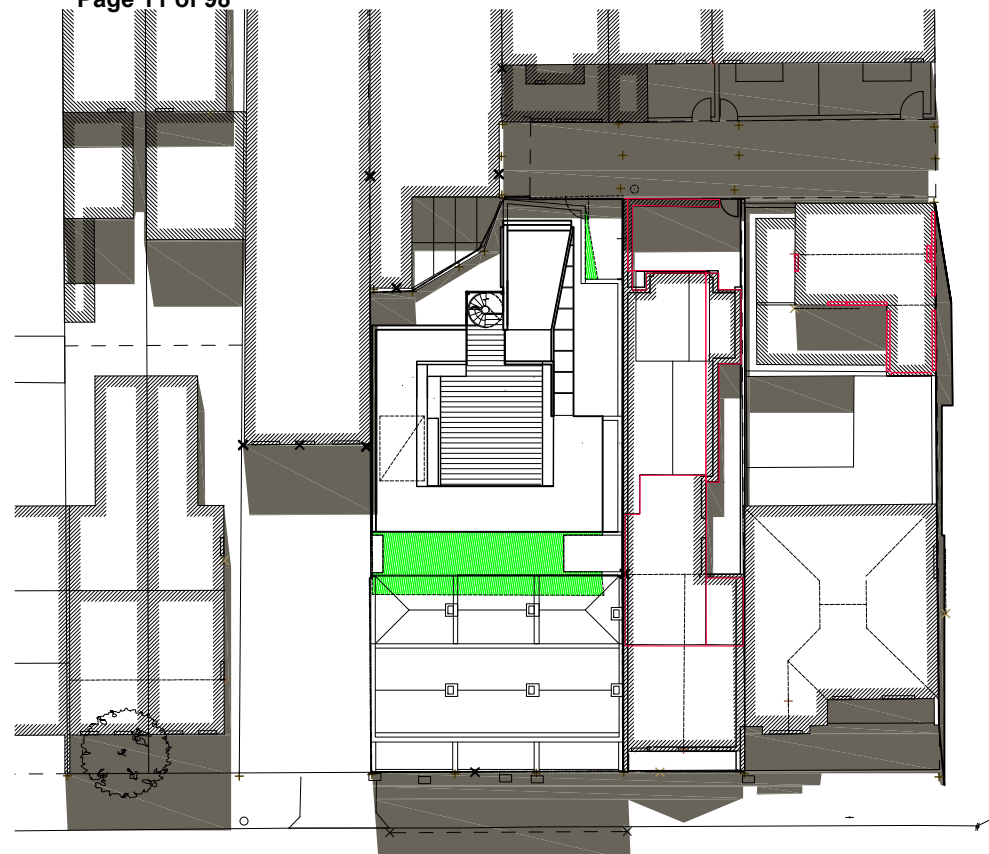
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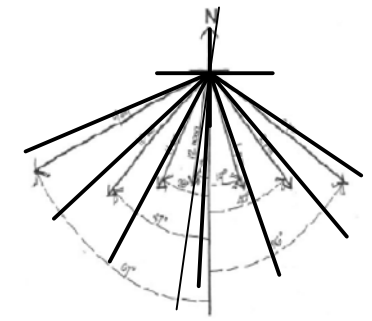
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SEPTEMBER 22 11AM



SEPTEMBER 22 12PM



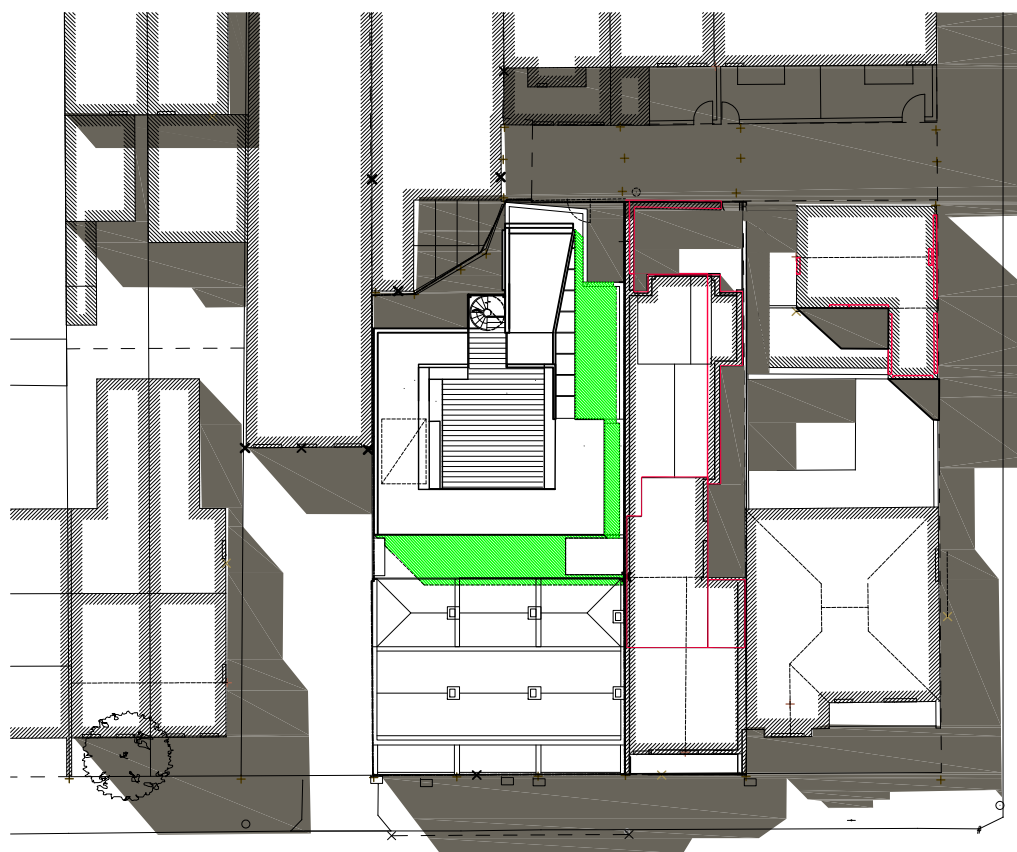
Angle of shadow 22 September
The 22 September equinox datum has been chosen as it is slightly more generous than the March equinox in terms of afternoon sun access.

Length of shadow on 22 September

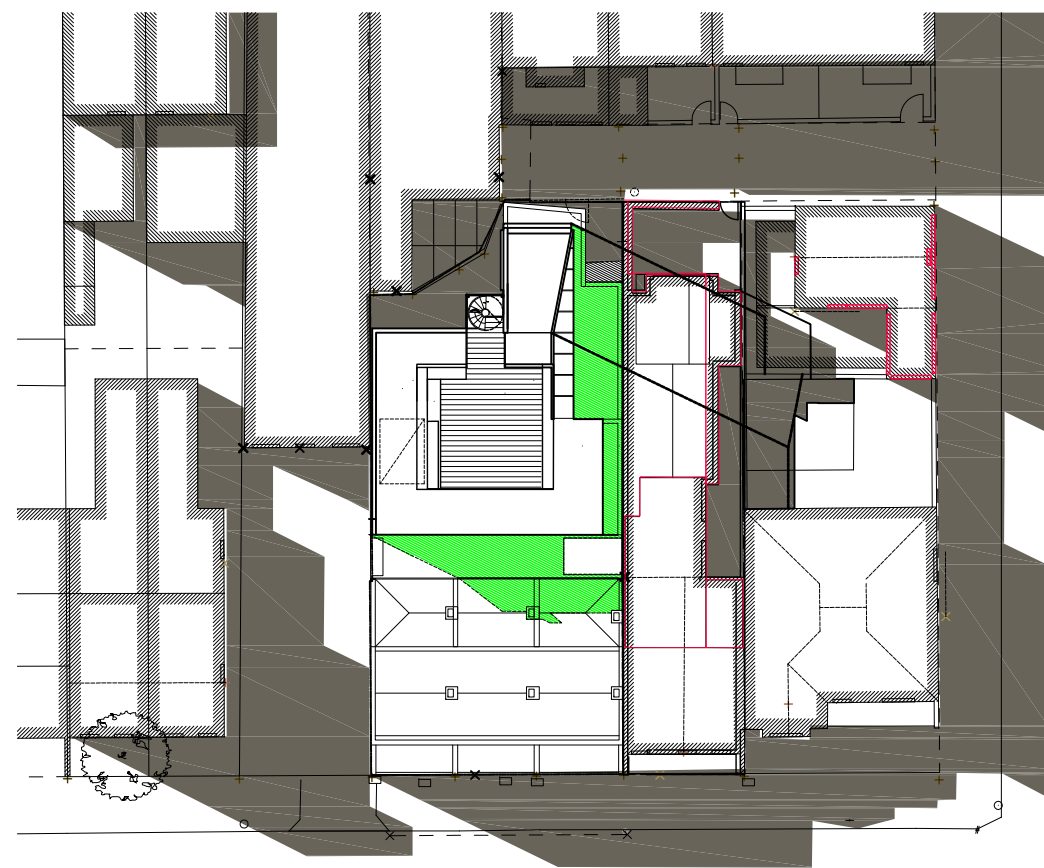
Time	Sun altitude (degrees)	Shadow length of a 1m high post
9am	32°	1.6m
10am	41°	1.15m
11am	49°	0.87m
12noon	52°	0.78m
1pm	50°	0.84m
2pm	45°	1.0m
3pm	38°	1.3m

PRIVATE OPEN SPACE DIMENSION FOR NEW DWELLINGS (PAS)

Wall height (h) forming northern edge	Distance (d) from wall to south boundary of private open space = (2 + 0.5h)m
1m	2.9m
1.6m (eg fence)	3.4m
3m (eg single storey)	4.7m
5.6m (eg double storey)	7.2m
8.6m (eg three storey)	9.7m



SEPTEMBER 22 2PM



SEPTEMBER 22 3PM

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:350 @A3
DATE APRIL_2020

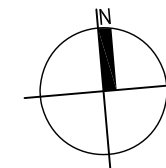
Project No [2]1711/2
Dwg: TP00_A6

AMENDMENTS			
Rev	By	Date	Description
-		20.04.20	Initial Issue

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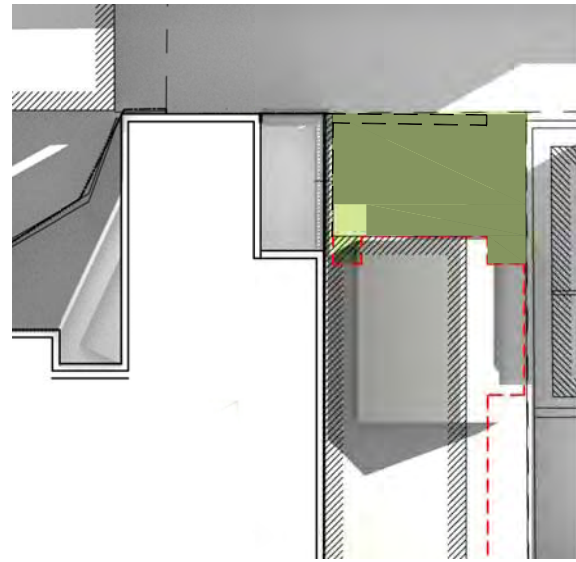


shadow studies - proposed building conditions

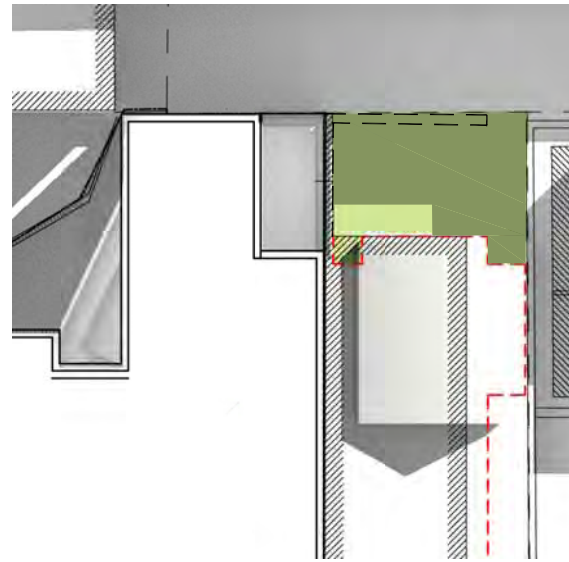
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ACN 629 199 373

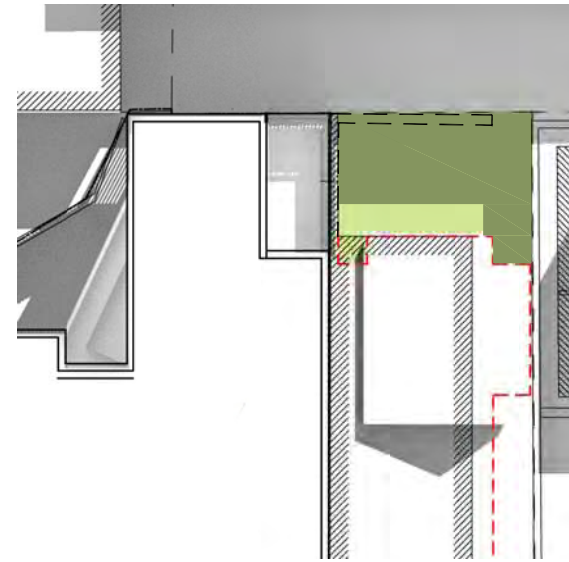
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SEPTEMBER 22 9AM
0% IMPACT TO NEIGHBORING POS CAUSED BY PROPOSED BUILDING

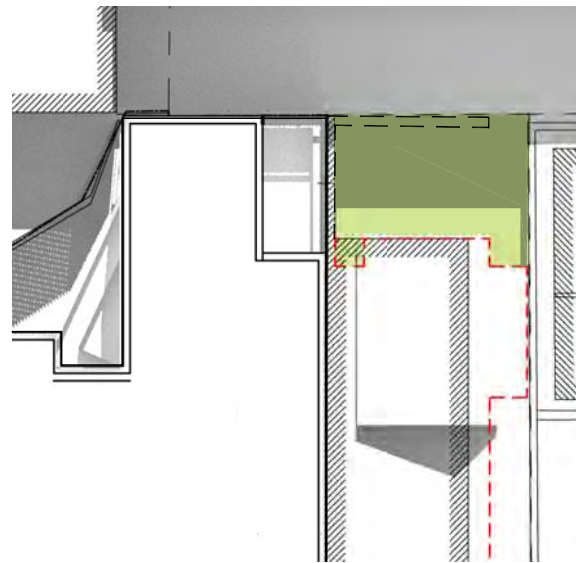


SEPTEMBER 22 10AM
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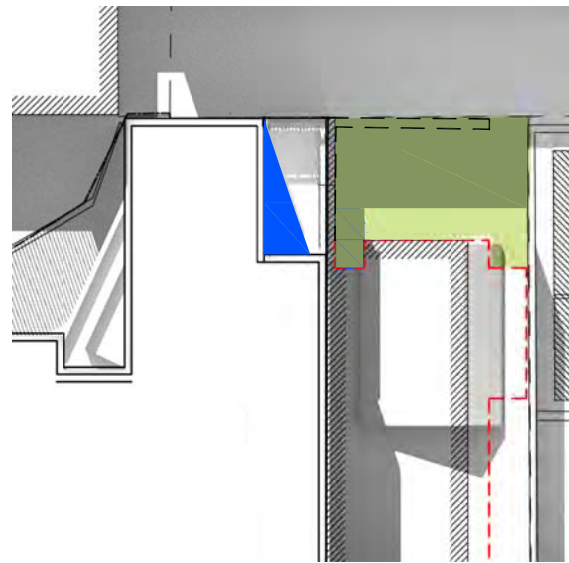


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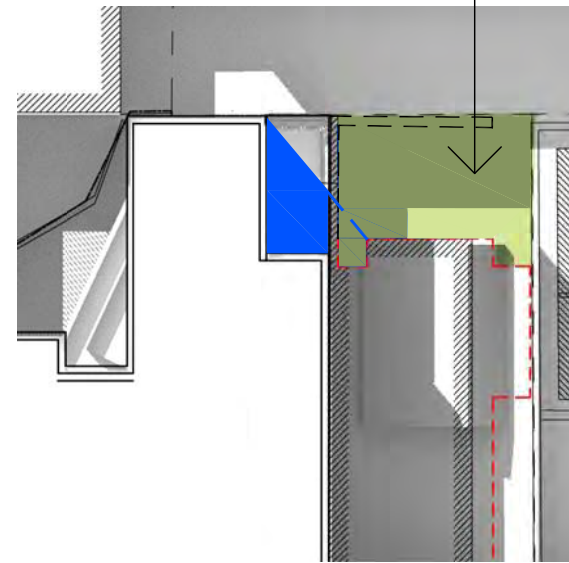
NOTE:
FOR PRIVATE OPEN SPACE
SHADOW ANALYSIS OF THE
PROPOSED DEVELOPMENT ON TO
PROPERTIES AT No2 AND No4
MACARTHUR PLACE REFER TO
DRAWING TP00_A8, FOR EQUINOX
TIMES AT 2PM AND 3PM
EARLIER SHADOWS OF THE
PROPOSED BUILT FORM DO NOT
AFFECT THE TWO PROPERTIES TO
THE EAST OF THE SUBJECT SITE.



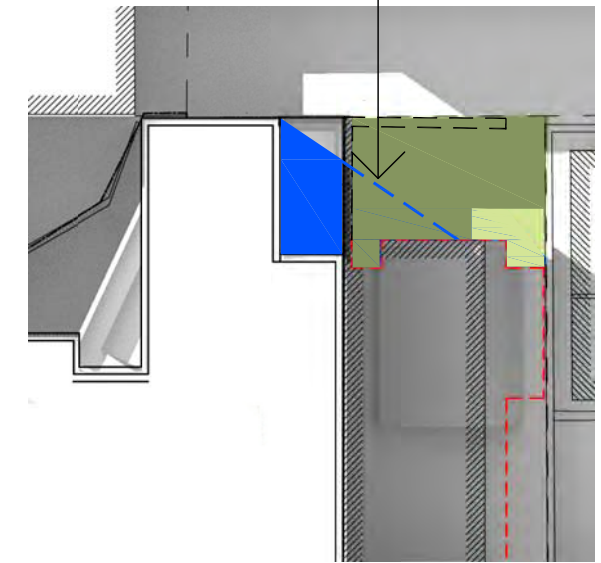
SEPTEMBER 22 12PM
0% IMPACT TO NEIGHBORING POS CAUSED BY PROPOSED BUILDING



SEPTEMBER 22 1PM
0% IMPACT TO NEIGHBORING POS CAUSED BY PROPOSED BUILDING
SHADOW CAUSED BY PROPOSED BUILDING SHOWN BLUE



SEPTEMBER 22 2PM
0% IMPACT TO NEIGHBORING POS CAUSED BY PROPOSED BUILDING
SHADOW CAUSED BY PROPOSED BUILDING SHOWN BLUE



SEPTEMBER 22 3PM
0% IMPACT TO NEIGHBORING POS CAUSED BY PROPOSED BUILDING
SHADOW CAUSED BY PROPOSED BUILDING SHOWN BLUE

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:350 @A3
DATE APRIL_2020

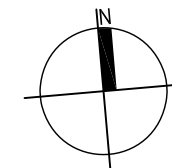
Project No [2]1711/2
Dwg: TP00_A7

AMENDMENTS			
Rev	By	Date	Description

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shadow studies - impact on adjoining POS (1)

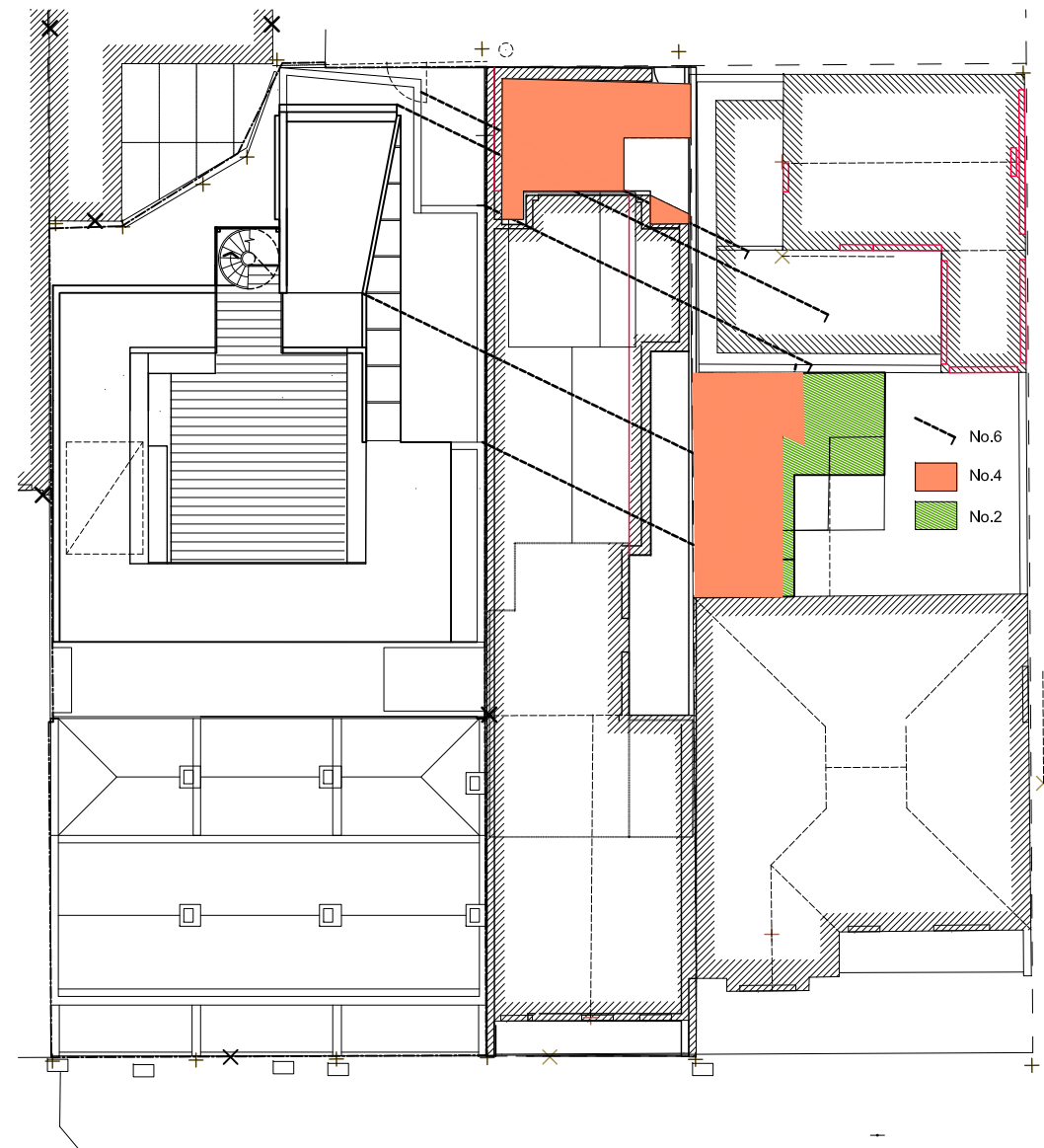
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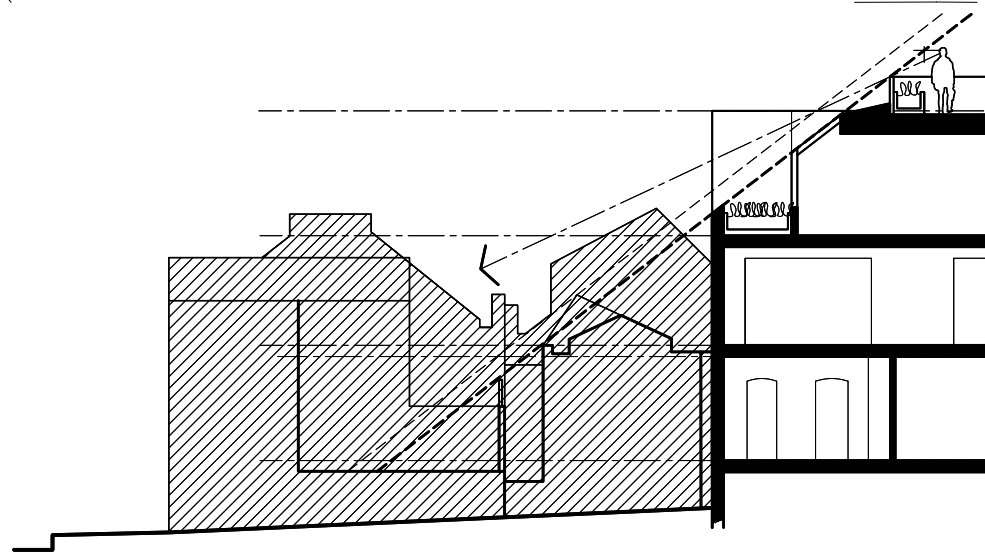
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SEPTEMBER 22 2PM
0% IMPACT TO NEIGHBORING
PROPERTIES POS CAUSED BY
PROPOSED BUILDING
SHADOW



SEPTEMBER 22 3PM
0% IMPACT TO NEIGHBORING
PROPERTIES POS CAUSED BY
PROPOSED BUILDING
SHADOW



C SECTION
SCALE 1:200

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:200 @A3
DATE APRIL_2020

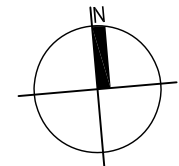
Project No [2]1711/2
Dwg: TP00_A8

AMENDMENTS			
Rev	By	Date	Description

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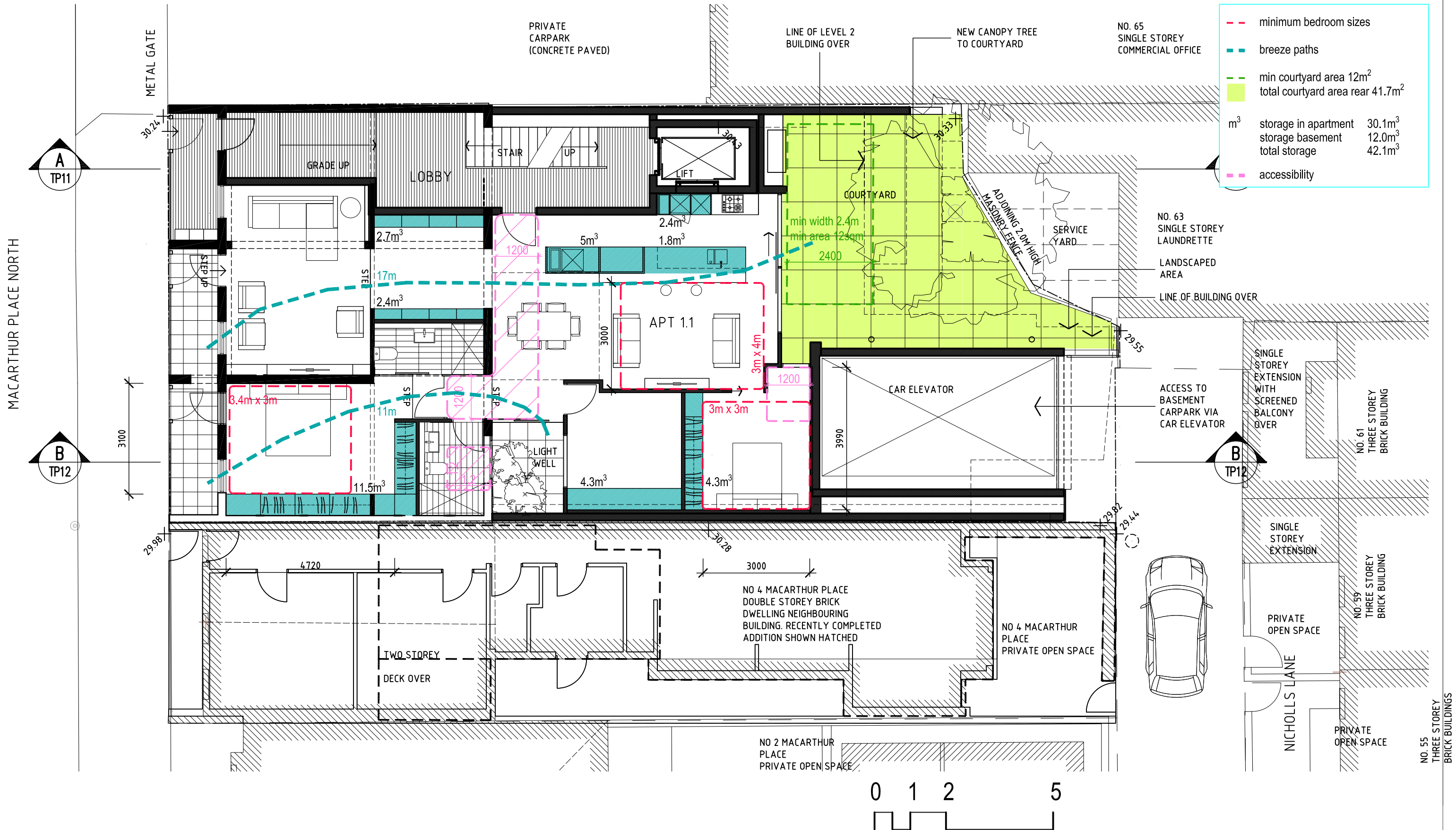


shadow studies - impact on adjoining POS (2)

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Macarthur Place apartments

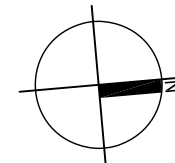
6-10 Macarthur Place North, Carlton

SCALE: 1:100 @A3
 DATE: APRIL_2020
 Project No: [2]1711/2
 Dwg: TP00_A09

AMENDMENTS			
Rev	By	Date	Description
-		260520	Initial Issue

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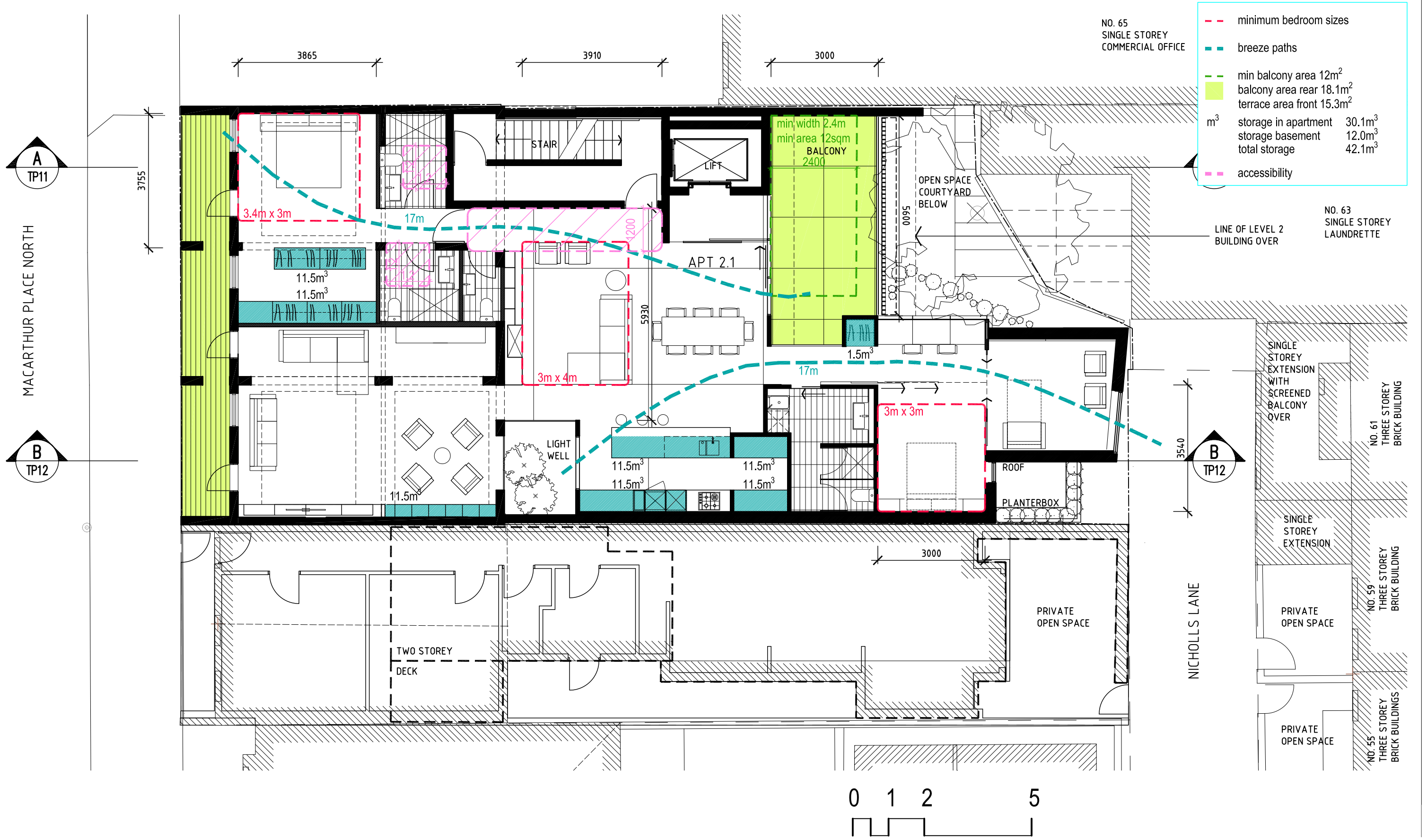


good design analysis - ground floor plan

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- - - minimum bedroom sizes
- - - breeze paths
- - - min balcony area 12m²
- balcony area rear 18.1m²
terrace area front 15.3m²
- m³ storage in apartment 30.1m³
storage basement 12.0m³
total storage 42.1m³
- - - accessibility

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

good design analysis - level 1 plan

DP_TOSCANO
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SCALE 1:100 @A3
DATE APRIL_2020

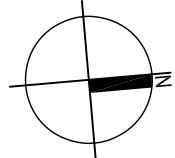
Project No [2]1711/2
Dwg: TP00_A10

AMENDMENTS			
Rev	By	Date	Description
-		260520	Initial Issue

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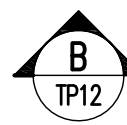
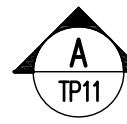
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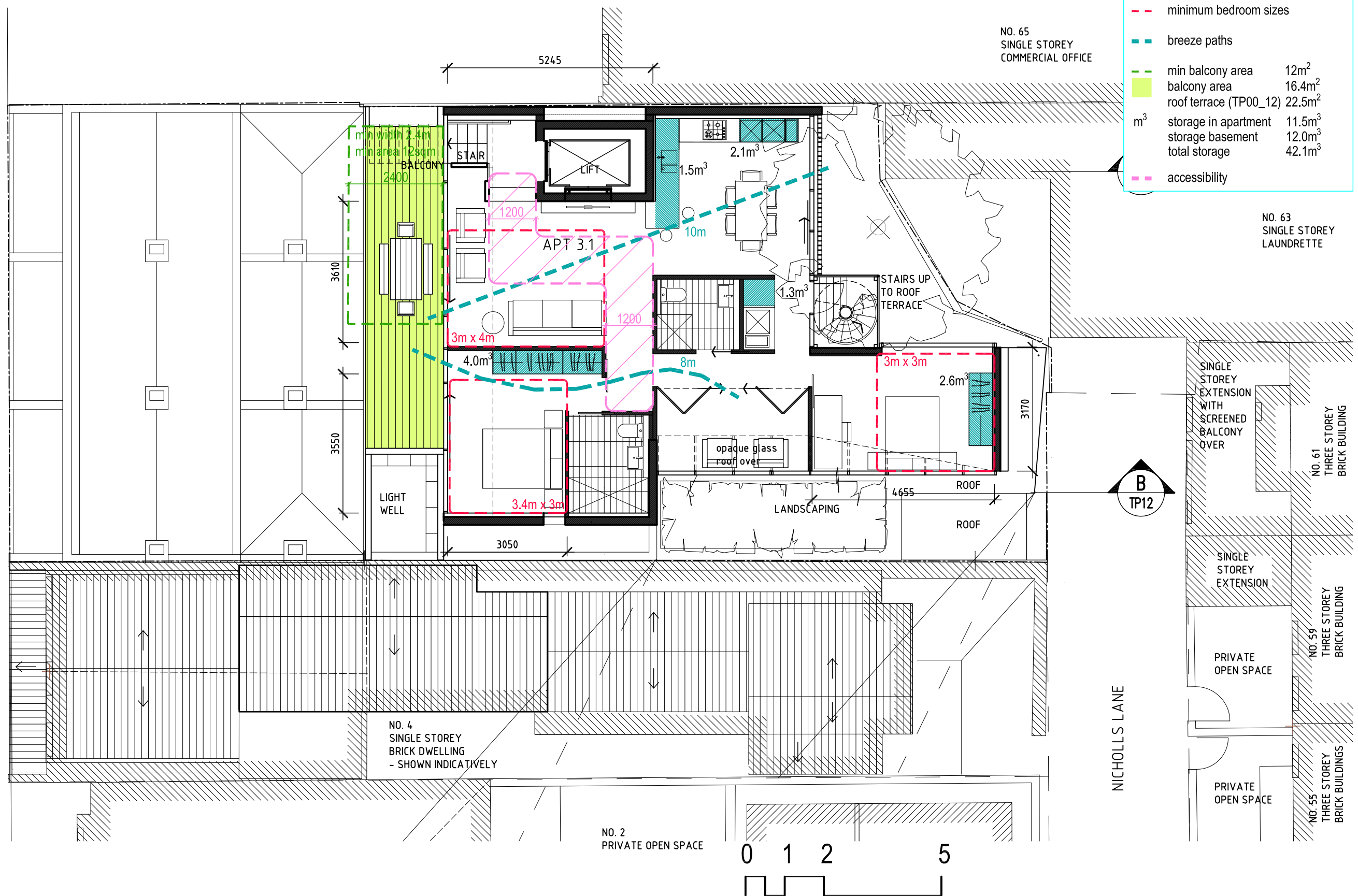
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MACARTHUR PLACE NORTH

NICHOLLS LANE



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

good design analysis - level 2 plan

DP_TOSCANO ARCHITECTS

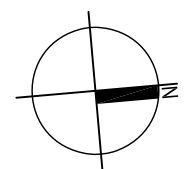
SCALE 1:100 @A3
 DATE APRIL_2020
 Project No [2]1711/2
 Dwg: TP00_A11

AMENDMENTS			
Rev	By	Date	Description
-		260520	Initial Issue

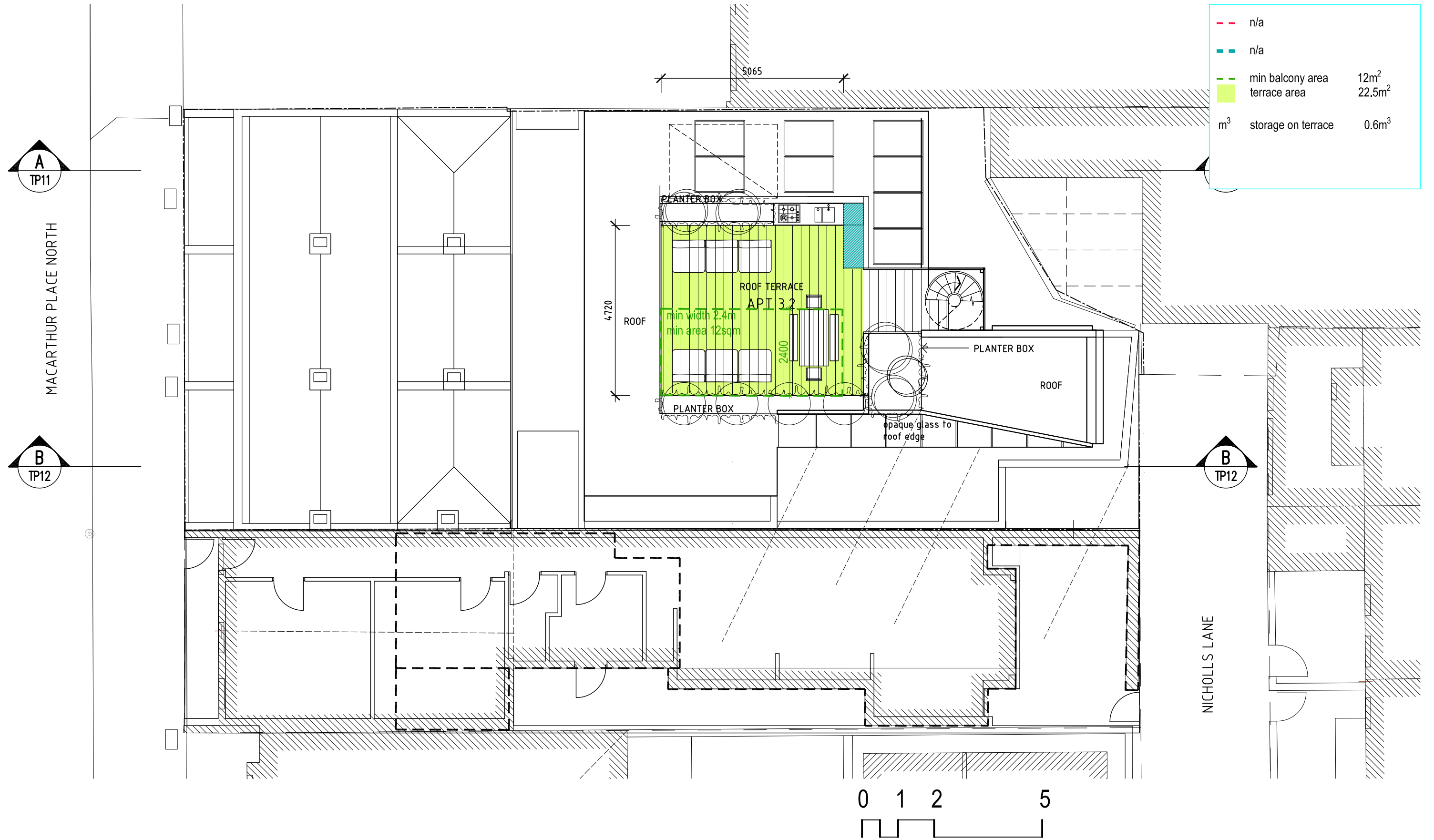
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

good design analysis - roof plan

SCALE 1:100 @A3
DATE APRIL_2020

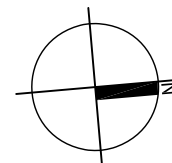
Project No [2]1711/2
Dwg: TP00_A12

AMENDMENTS			
Rev	By	Date	Description
-		270520	Initial Issue

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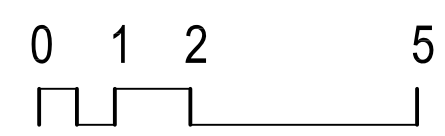
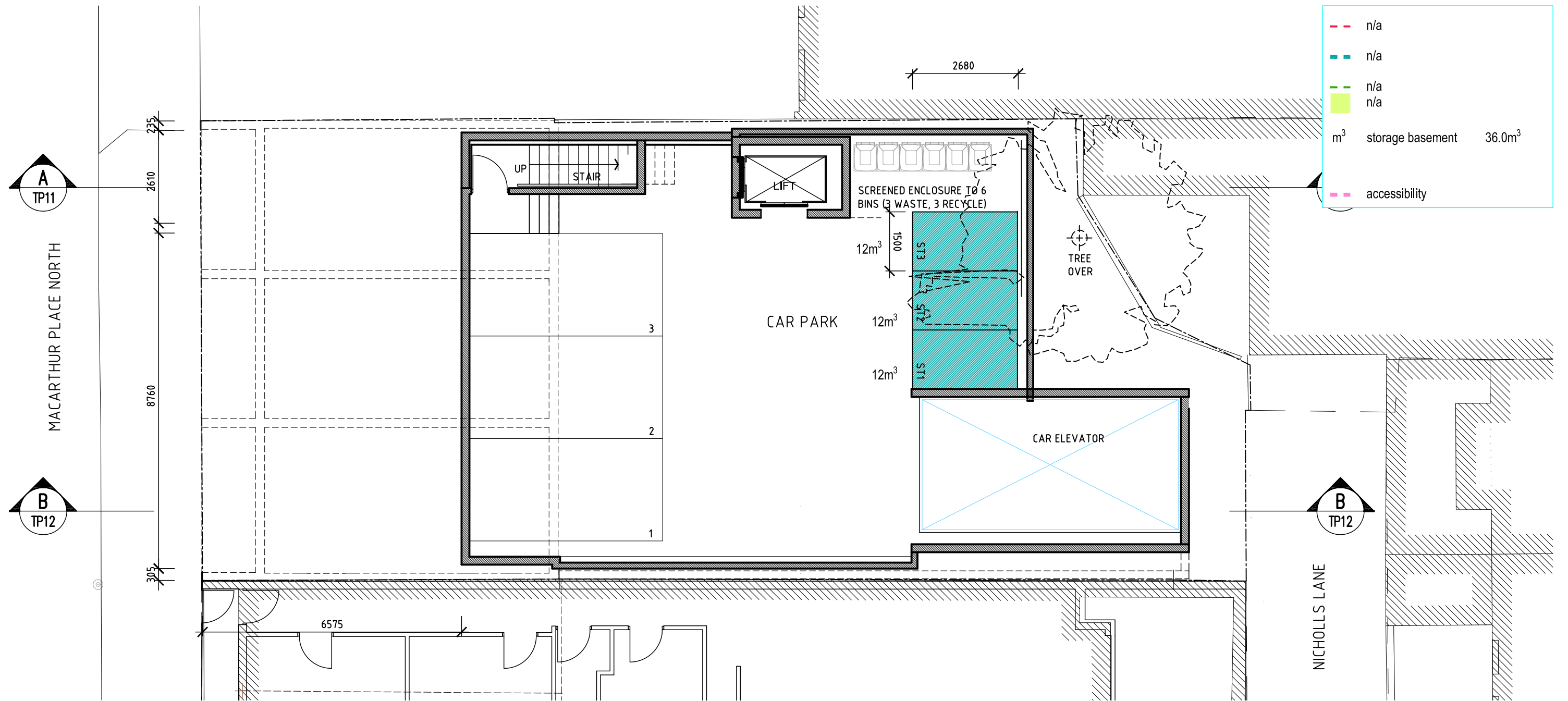
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100@A3
DATE APRIL_2020

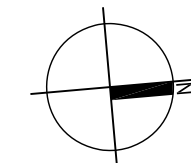
Project No [2]1711/2
Dwg: TP00_A13

AMENDMENTS			
Rev	By	Date	Description
-		270520	Initial Issue

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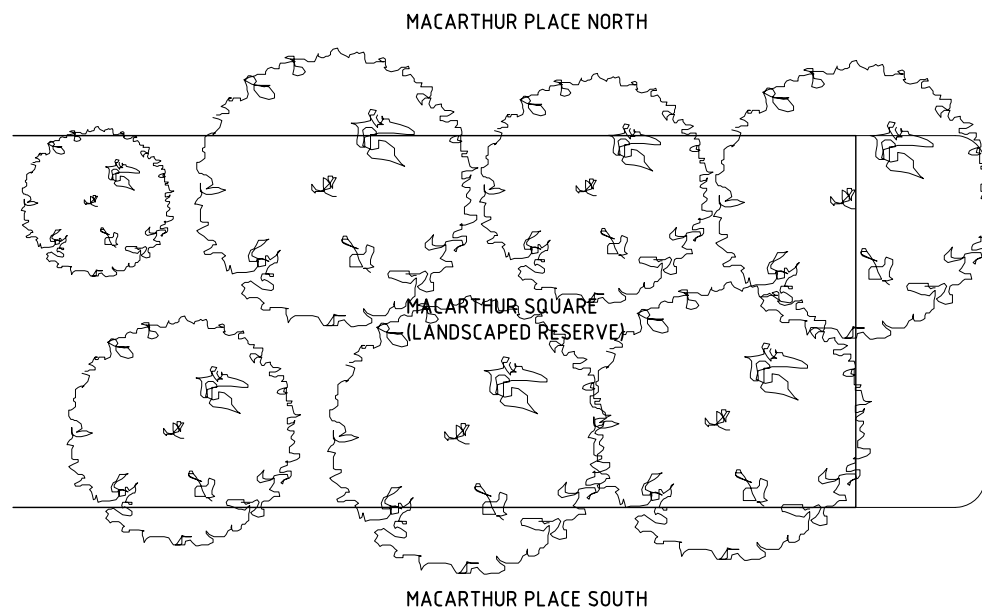
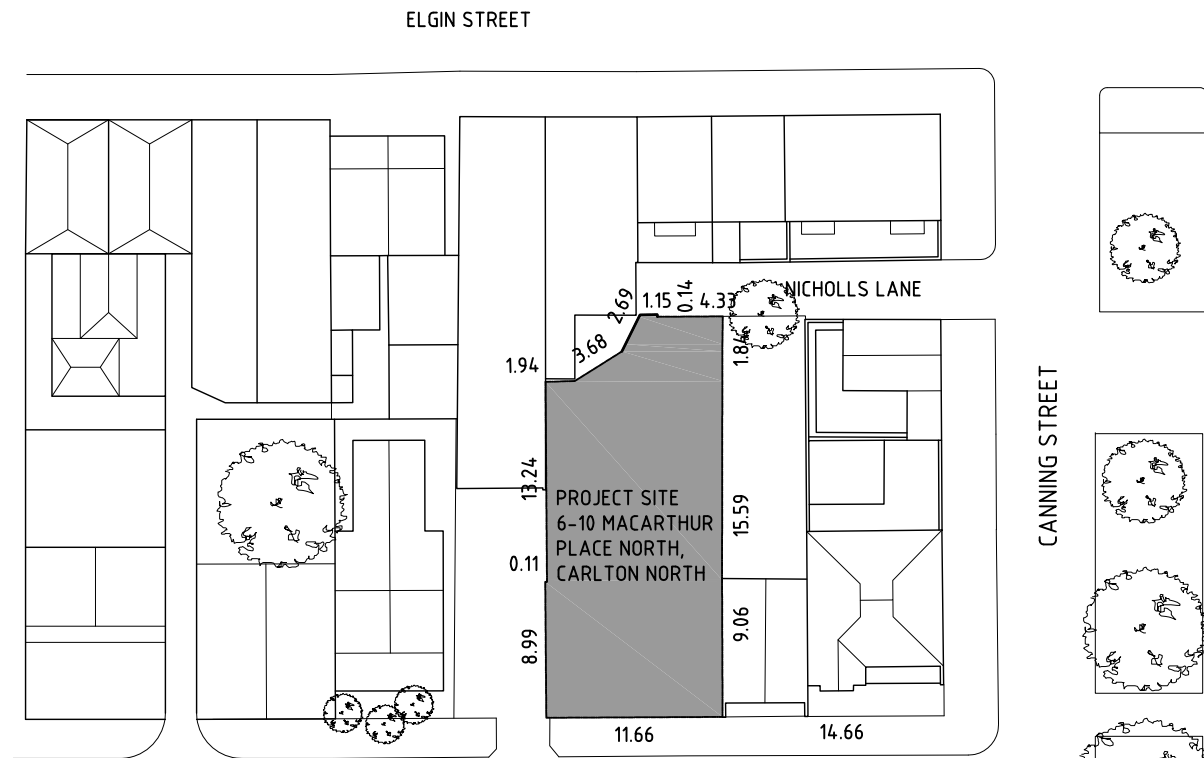


good design analysis - basement plan

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1 SITE PLAN
SCALE 1:200

Area Summary
Design Response

Level	Apartment		Private Open Space				Total Apartment Area	Common Area	Gross Floor Area	cars
	No.	Type	Area	Balconies	Terrace	Courtyd				
B			175						177	3
G	1.1	2bed+Study	143		10	42	195	24	247	
1	2.1	2bed+Study	194	18	15		227		236	
2	3.1	2bed+Study	98	16			120		141	
R	3.2					32				
Totals			610	34	57		574	24	801	3

APARTMENTS 3
CARS 3

Site Area m2 288
Site Coverage % 85%
Site Permeability % 15%



site plan + area summary

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:200 @A3
DATE APRIL 2020

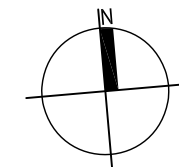
Project No [2]1711/2
Dwg: TP01

AMENDMENTS			
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-		2.04.20	Initial Issue

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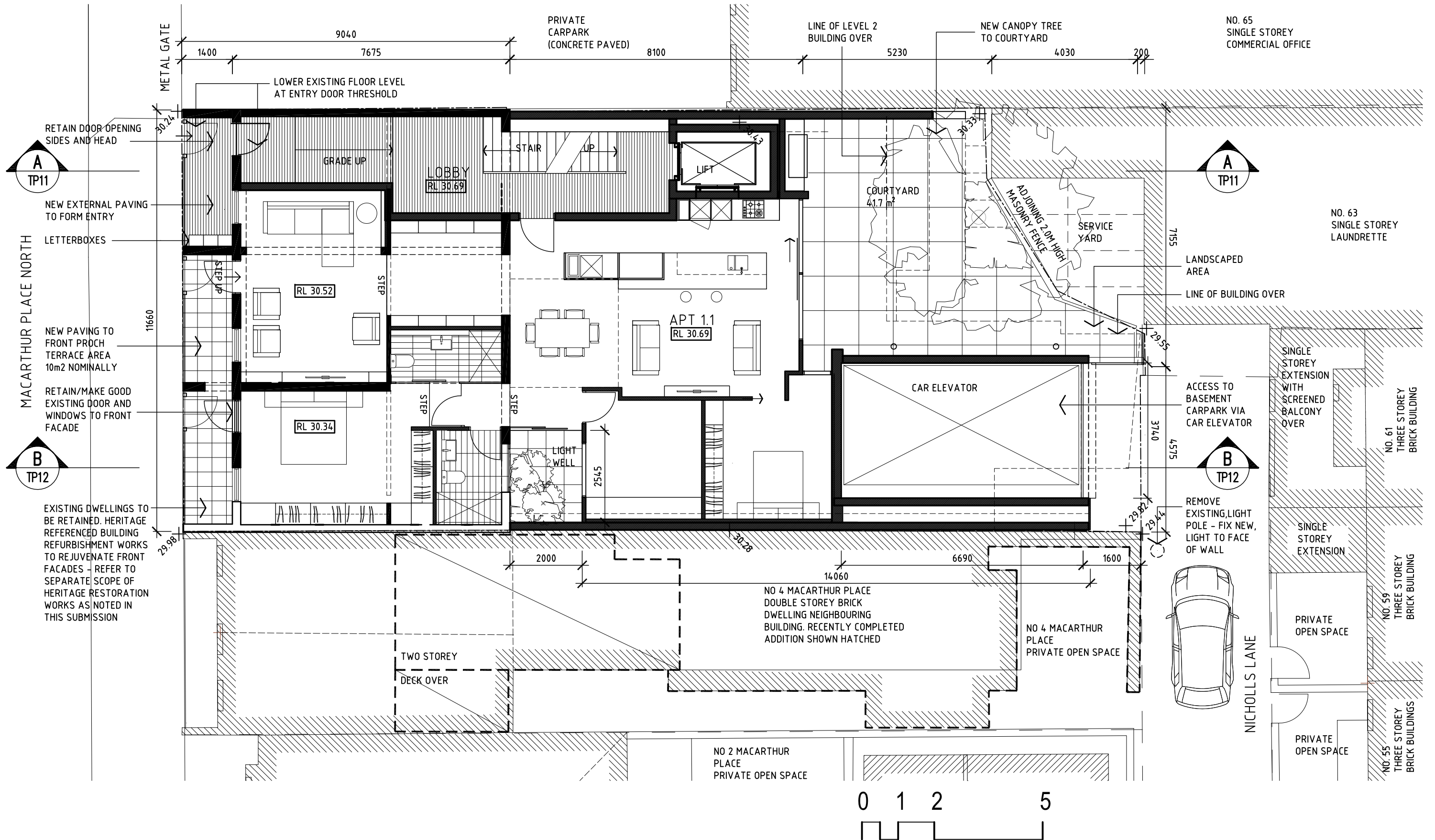
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL_2020

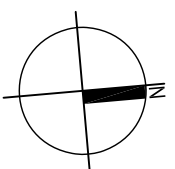
Project No [2]1711/2
Dwg: TP02

AMENDMENTS			
Rev	By	Date	Description
-		2.04.20	Initial Issue

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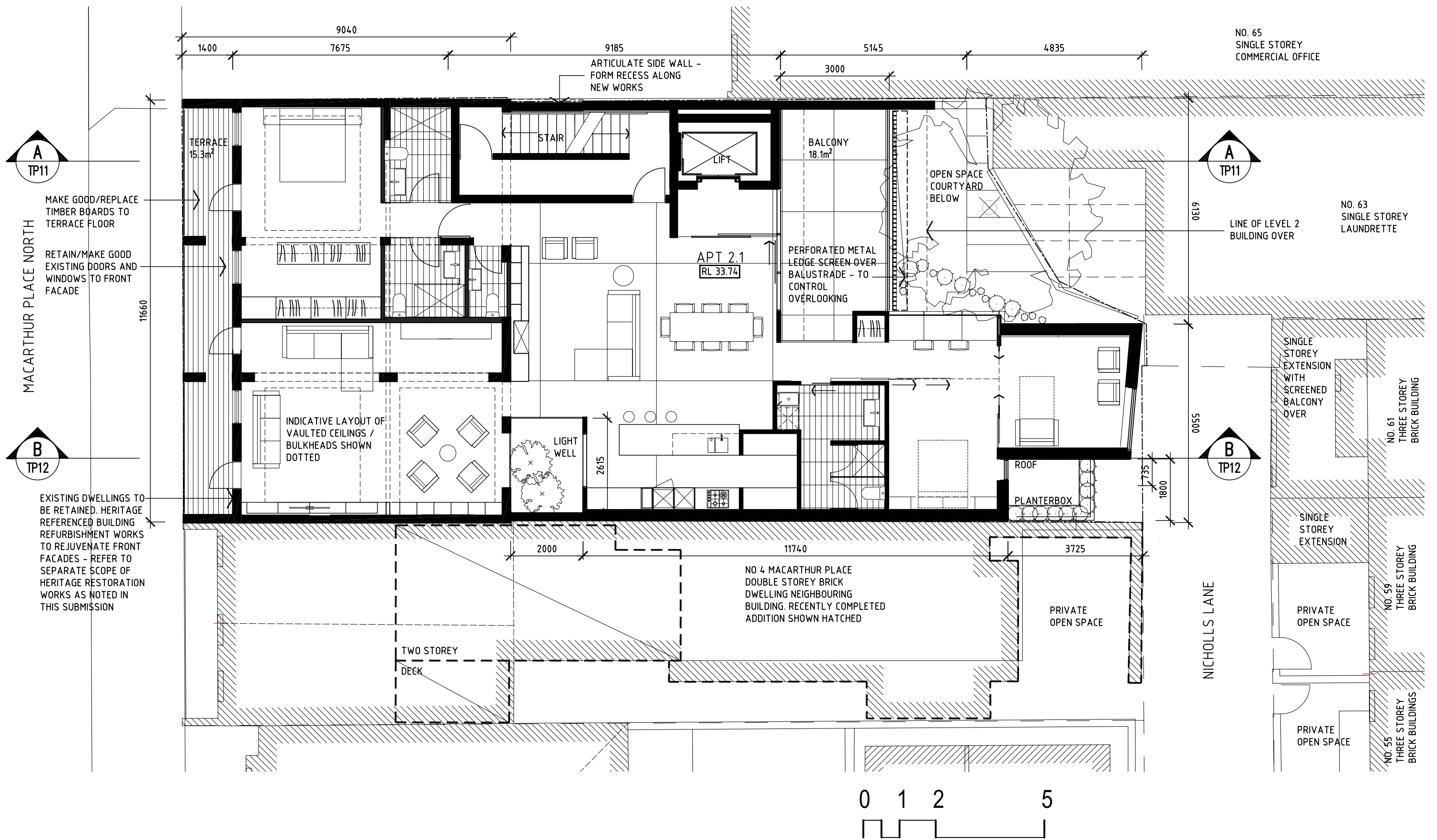
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Macarthur Place apartments

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DATE APRIL 2020

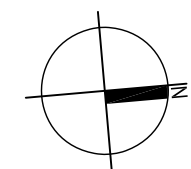
Project No [2]1711/2
Dwg: TP03

AMENDMENTS			
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-		2.04.20	Initial Issue

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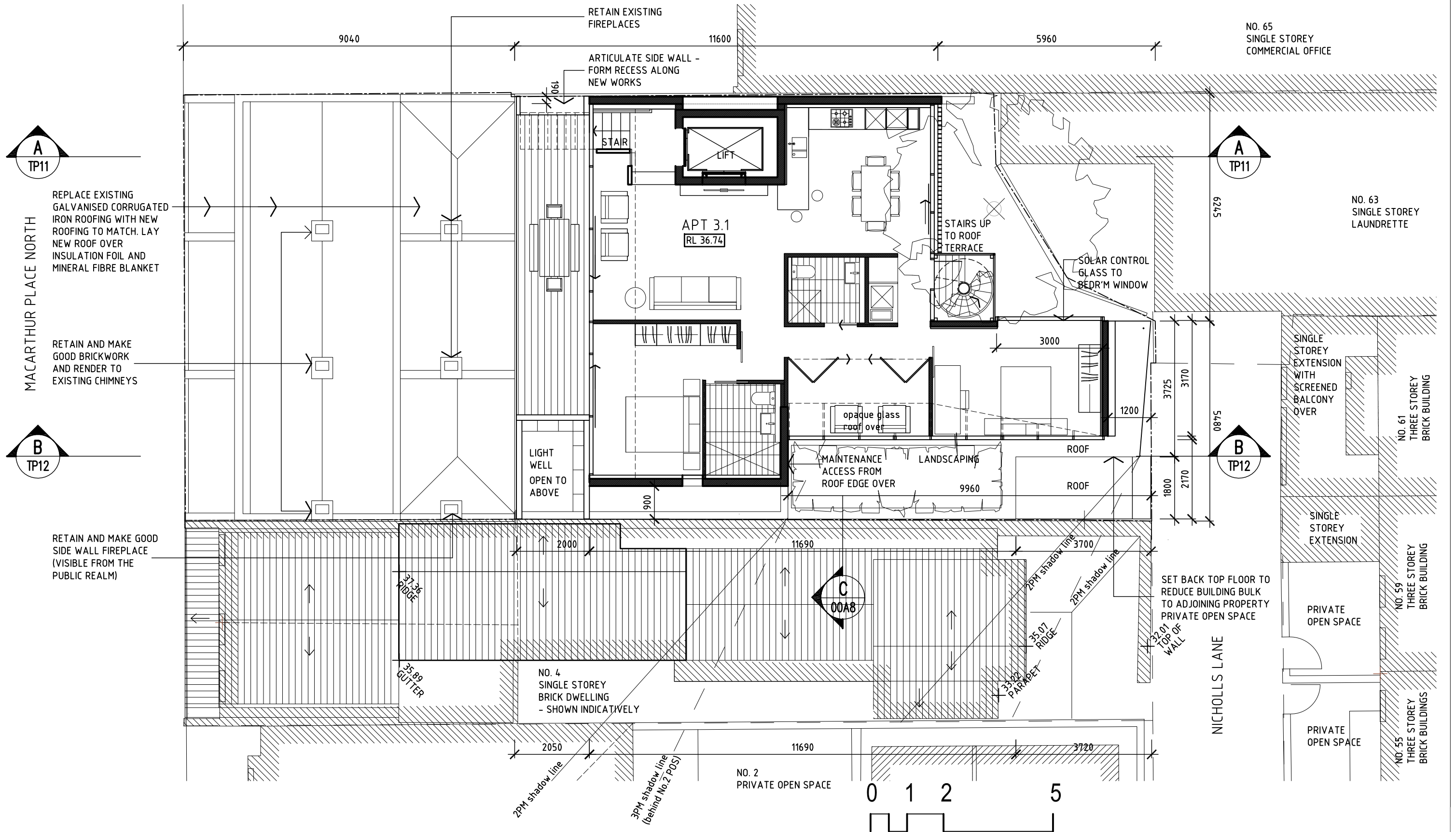


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level 1 plan



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

level 2 plan

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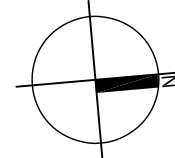
SCALE 1:100 @A3
DATE APRIL 2020
Project No [2]1711/2
Dwg: TP04

AMENDMENTS			
Rev	By	Date	Description
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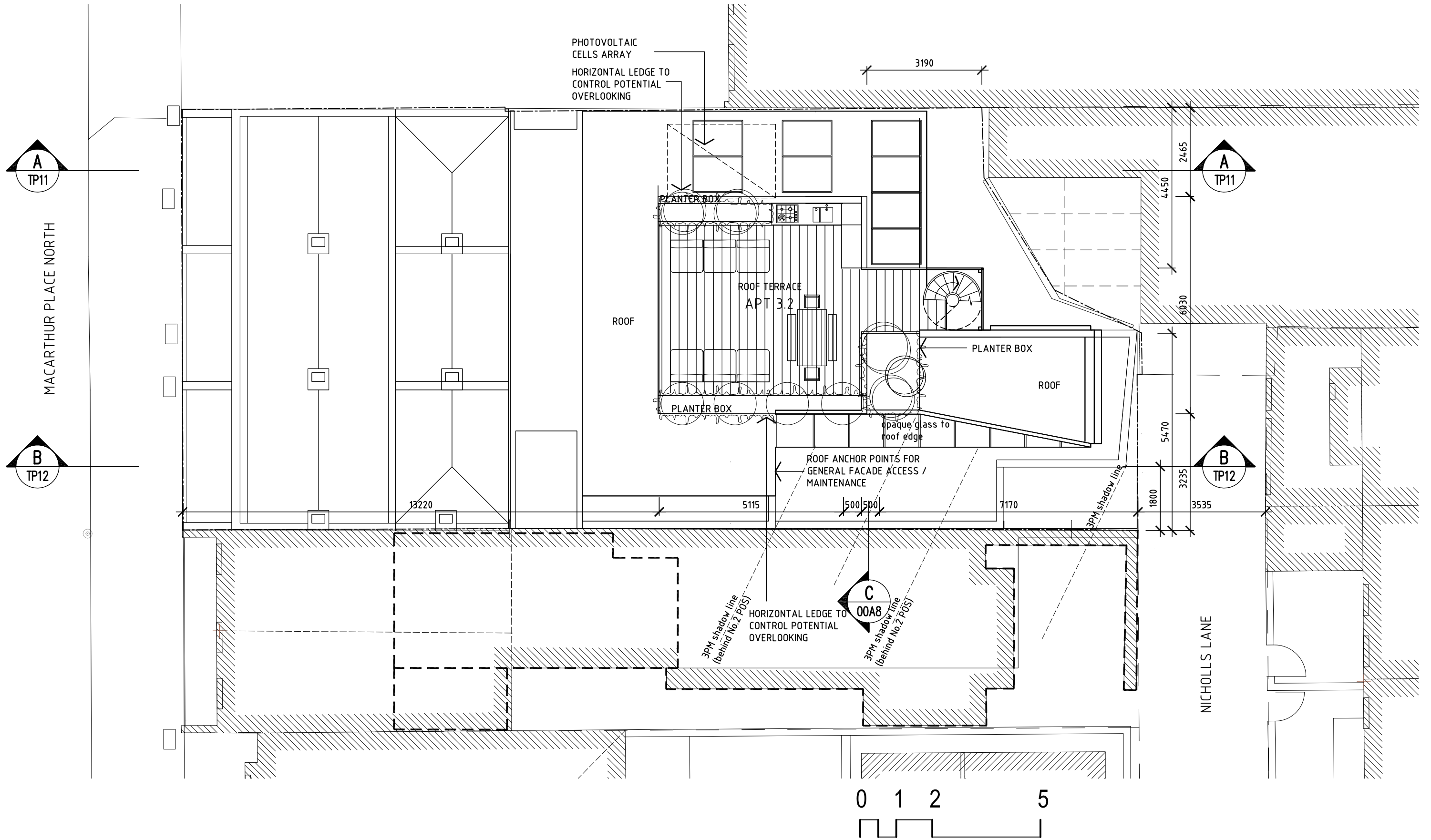
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL_2020

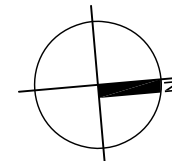
Project No [2]1711/2
Dwg: TP05

AMENDMENTS			
Rev	By	Date	Description
-		2.04.20	Initial Issue

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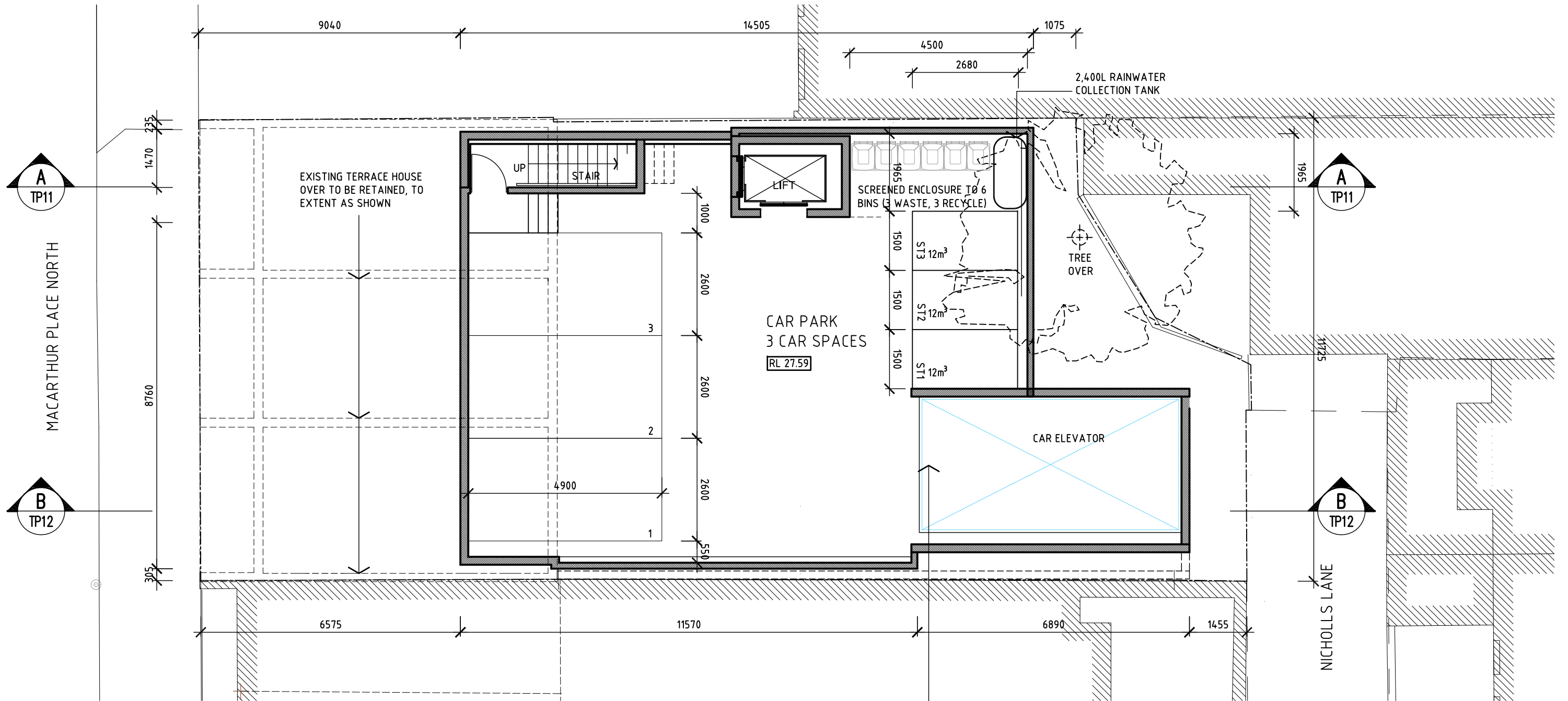


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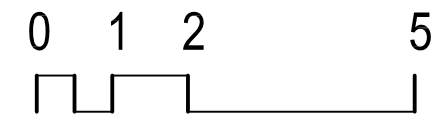
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roof plan



**CAR ELEVATOR:
GENERAL SPECIFICATION**

MANUFACTURER - LEVANTAPARK
 MODEL - WEMP30187605: Custom Vehicle Hoist
 PLATFORM SIZE - 6100mm x 3600mm
 PIT DIMENSIONS - 6160mm x 3660mm
 STANDARD LIFTING HEIGHT - 3000MM
 PLATFORM CAPACITY - 3000kgs



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100@A3
 DATE APRIL 2020

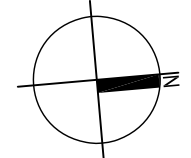
Project No [2]1711/2
 Dwg: TP06 A

AMENDMENTS			
Rev	By	Date	Description
-		2.04.20	Initial Issue
A	DP	270520	Dimensions, Notes added

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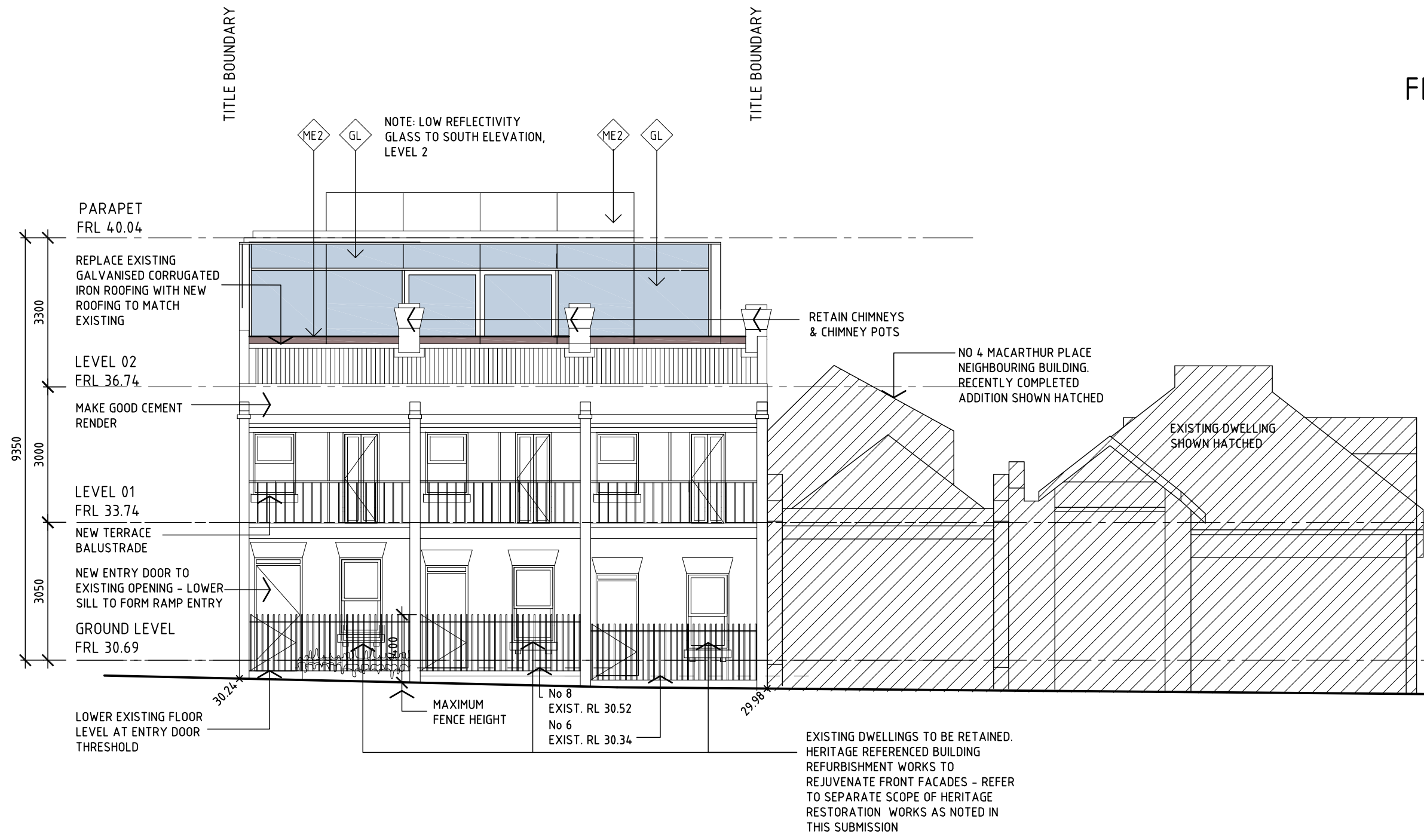
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


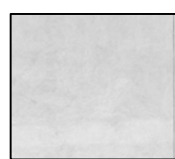

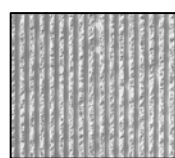





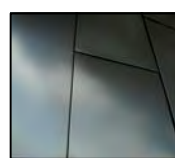
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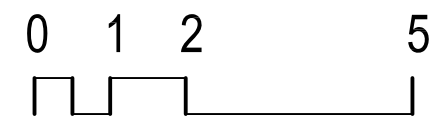
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FINISHES LEGEND

- 
CONCRETE PANEL - EXPRESSED JOINTS
 cement oxide additive to cement, colour to match DULUX "Ashville" GR6
 
- 
CONCRETE PANEL
 cement oxide additive to cement, colour to match DULUX "Ashville" GR6
 
- 
LIGHTWEIGHT WALL PANEL

- 
GLAZING
 (low relectivity glass to south wall Level 2)
 
- 
BLACK POWDERCOAT STEEL BALUSTRADE WITH BLACK PERFORATED METAL SCREEN BEHIND. PERFORATIONS NO MORE THAN 25% OPEN

- 
FLAT METAL PANEL WALL CLADDING
 dark grey patinated natural zinc
 

SCOPE OF WORKS:
 EXISTING TERRACE HOUSES - "C" GRADE BUILDINGS



south elevation

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
 DATE APRIL_2020

Project No [2]1711/2
 Dwg: TP07

AMENDMENTS			
Rev	By	Date	Description
-		2.04.20	Initial Issue

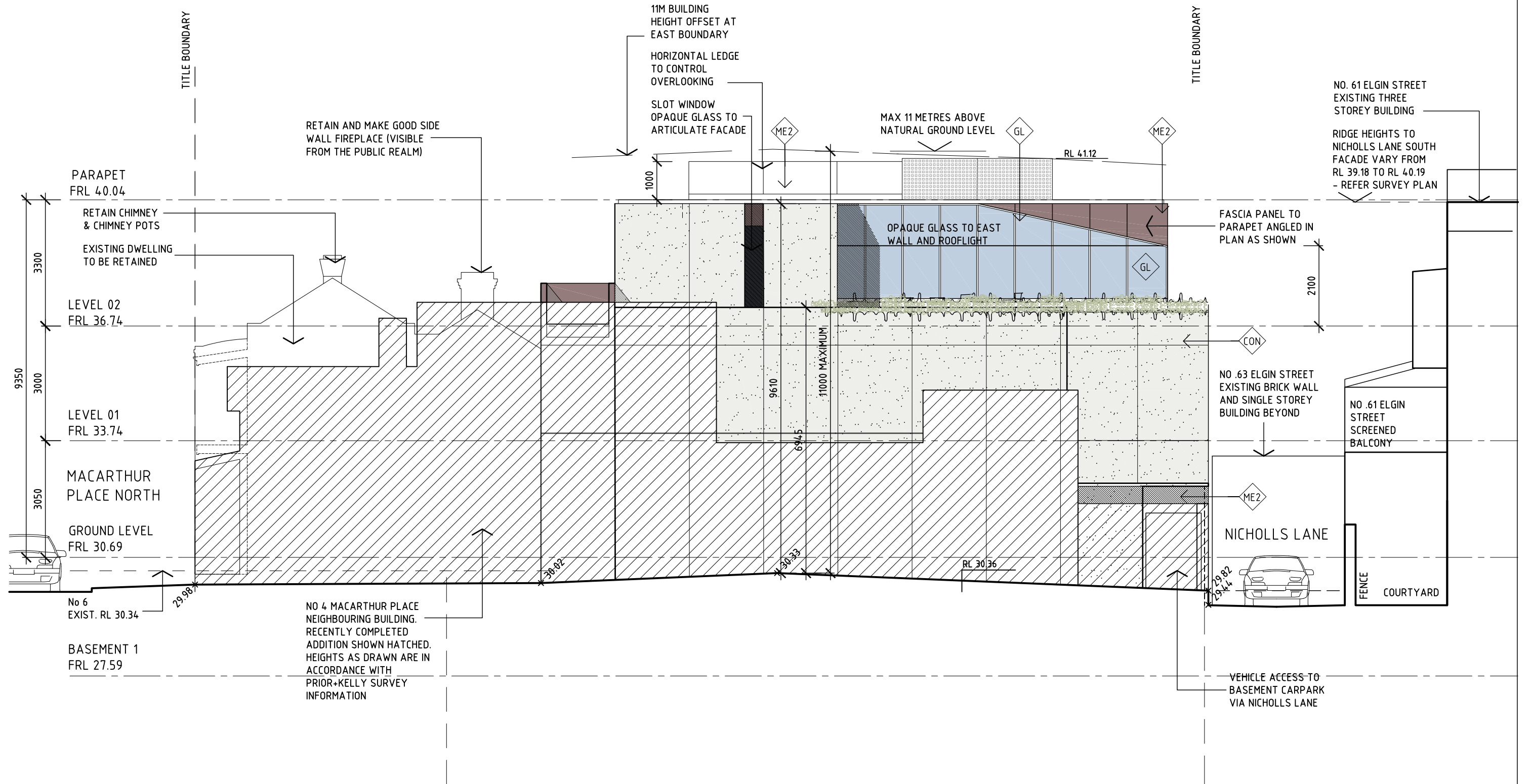
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL_2020

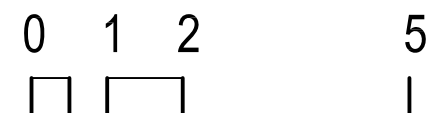
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Dwg: TP08

AMENDMENTS			
Rev	By	Date	Description
-		2.04.20	Initial Issue

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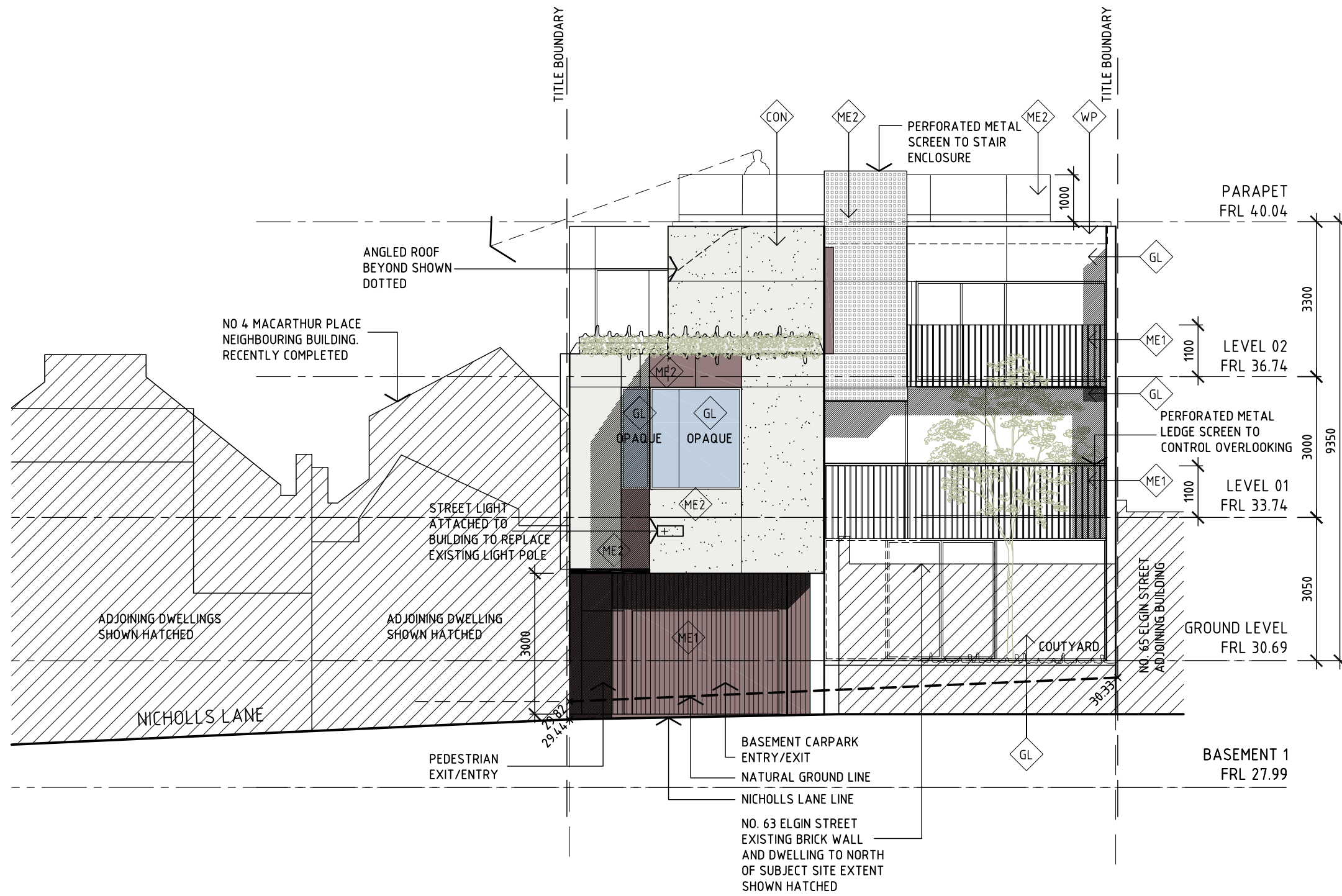


east elevation

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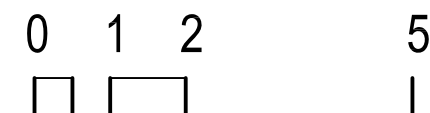
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FINISHES LEGEND

- 
CON CONCRETE PANEL - EXPRESSED JOINTS
 cement oxide additive to cement, colour to match DULUX "Ashville" GR6
 
- 
CON1 CONCRETE PANEL
 cement oxide additive to cement, colour to match DULUX "Ashville" GR6
 
- 
WP LIGHTWEIGHT WALL PANEL
 
- 
GL GLAZING
 (low relectivity glass to south wall Level 2)
 
- 
ME1 BLACK POWDERCOAT STEEL BALUSTRADE WITH BLACK PERFORATED METAL SCREEN BEHIND. PERFORATIONS NO MORE THAN 25% OPEN
 
- 
ME2 FLAT METAL PANEL WALL CLADDING
 dark grey patinated natural zinc
 



north elevation

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
 DATE APRIL_2020

Project No [2]1711/2
 Dwg: TP09

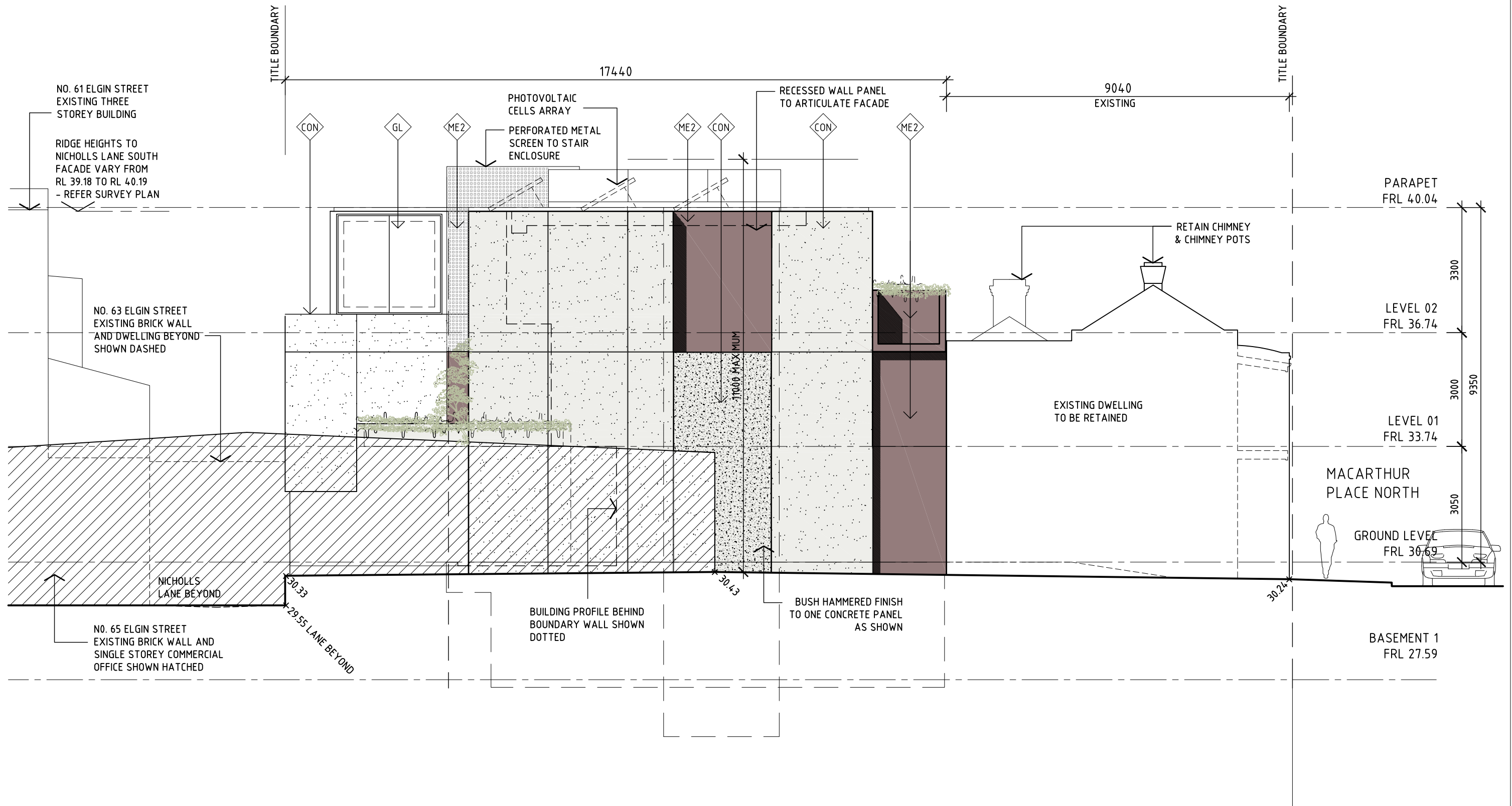
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Rev	By	Date	Description
-		2.04.20	Initial Issue

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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL 2020

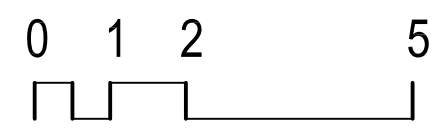
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Dwg: TP10

AMENDMENTS			
Rev	By	Date	Description
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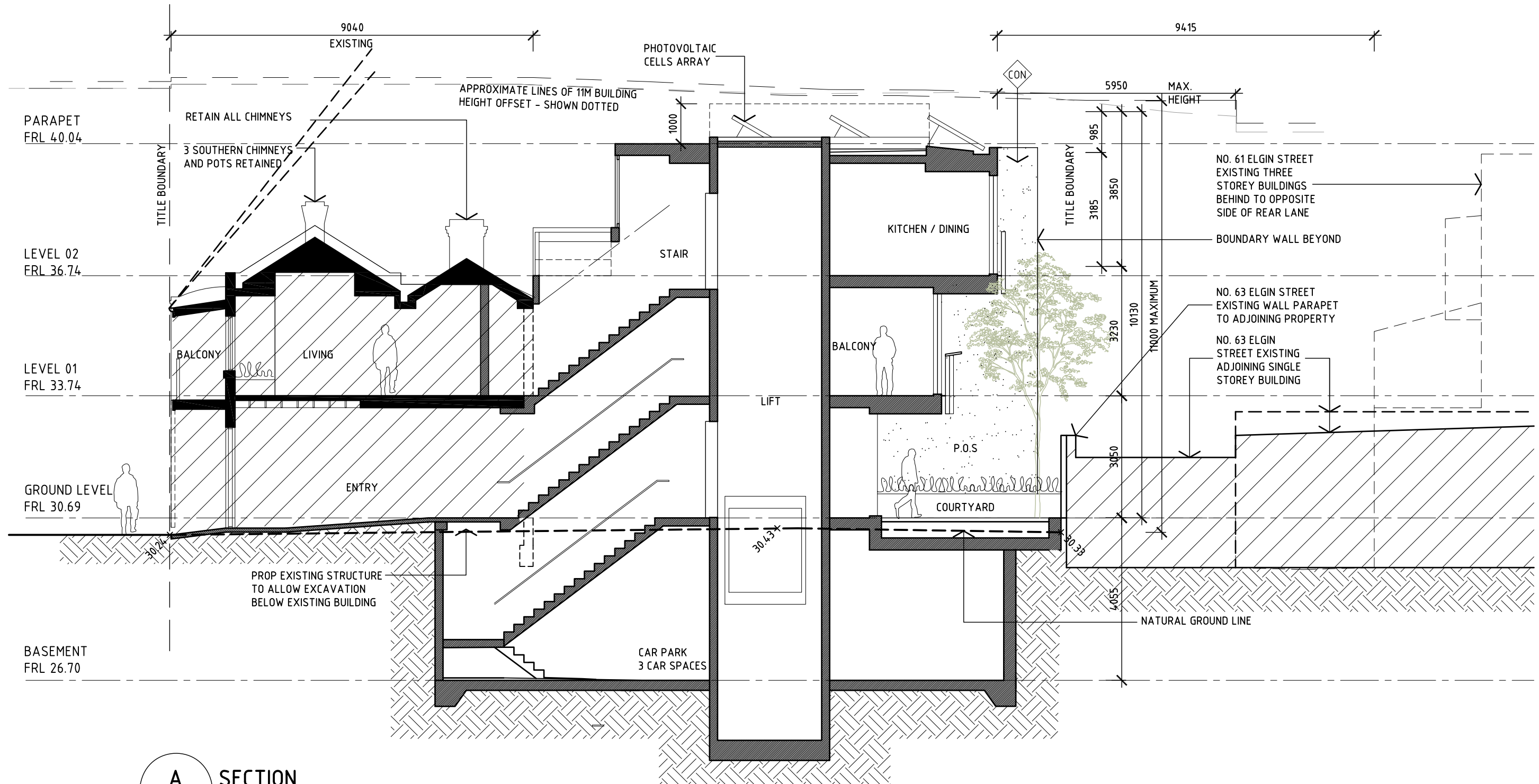
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west elevation

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A SECTION
SCALE 1:100

0 1 2 5
section 1

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL 2020

Project No [2]1711/2
Dwg: TP11

AMENDMENTS			
Rev	By	Date	Description
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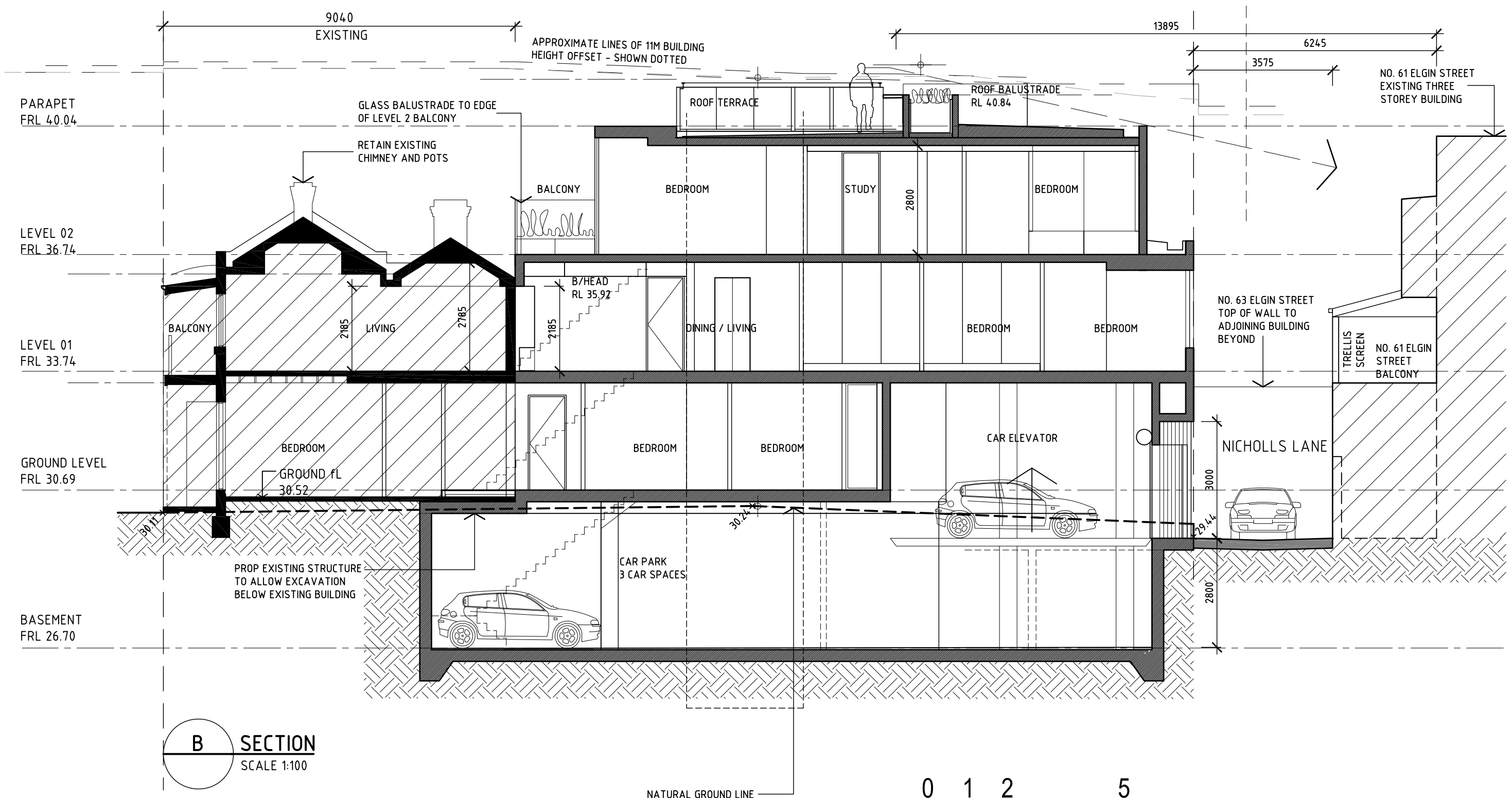
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL 2020

Project No [2]1711/2
Dwg: TP12

Rev	By	Date	Description
-		2.04.20	Initial Issue

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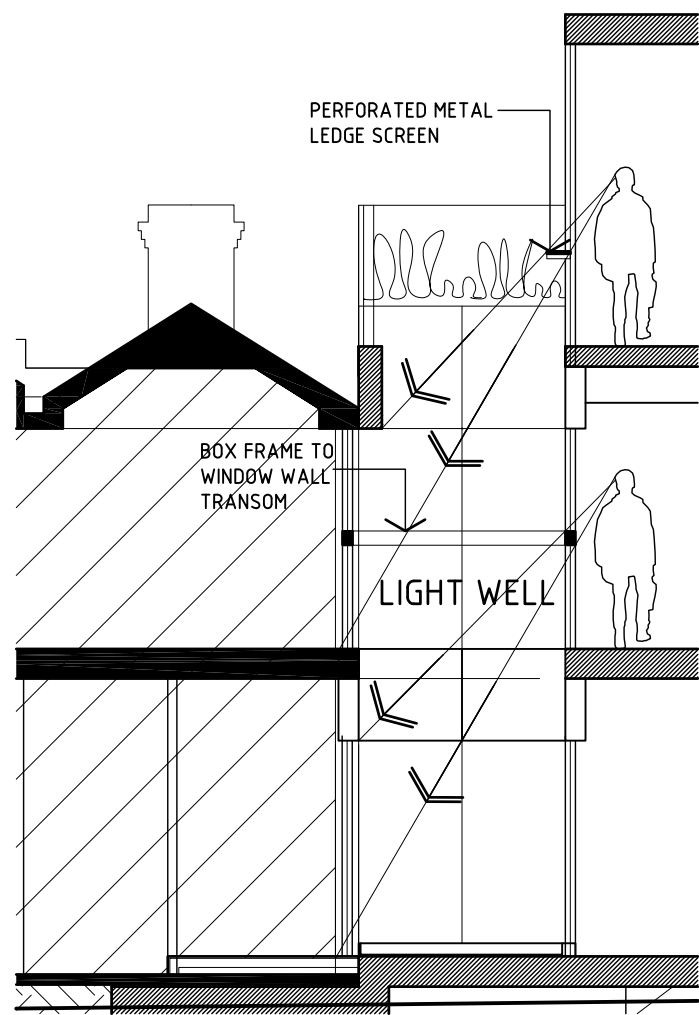
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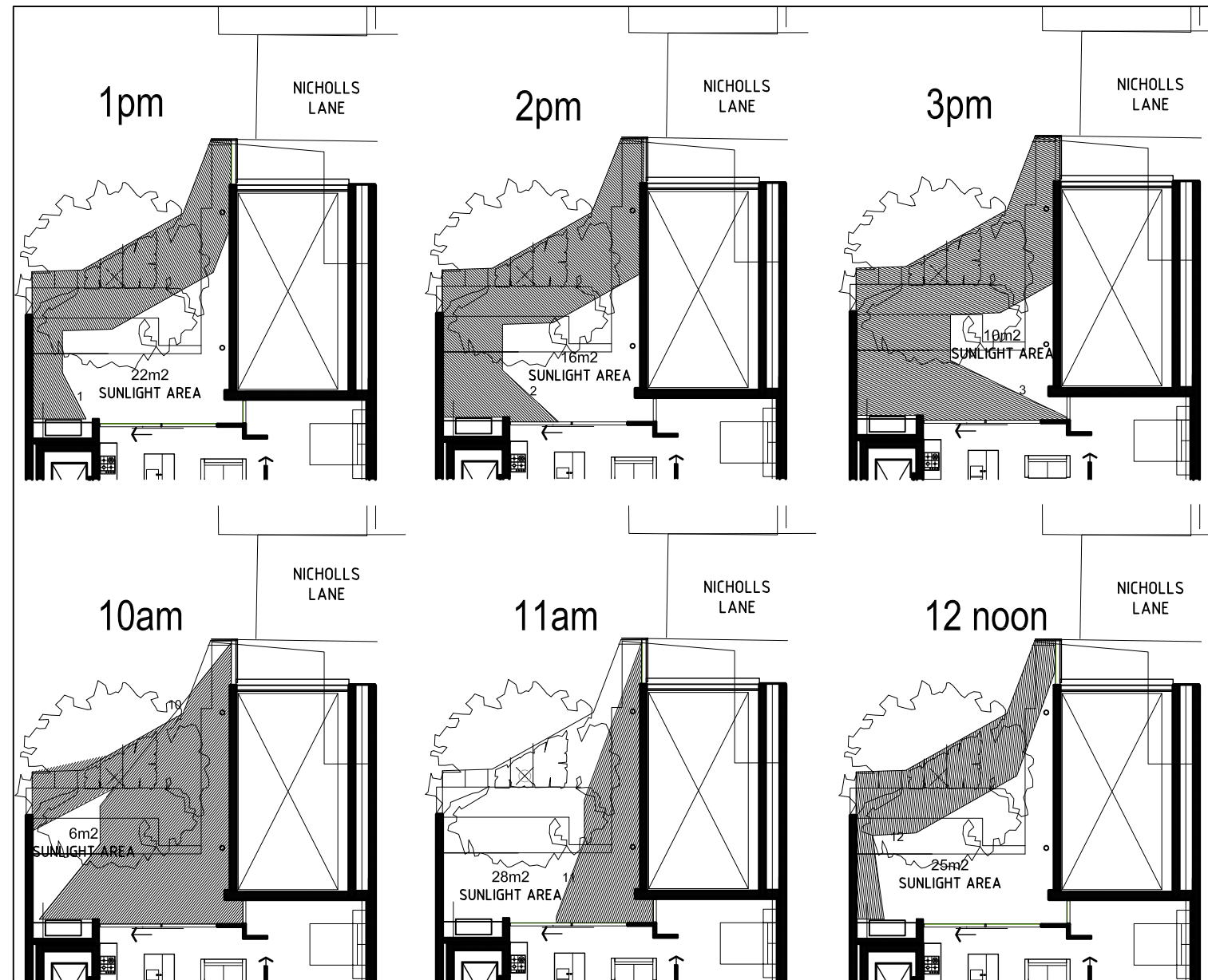
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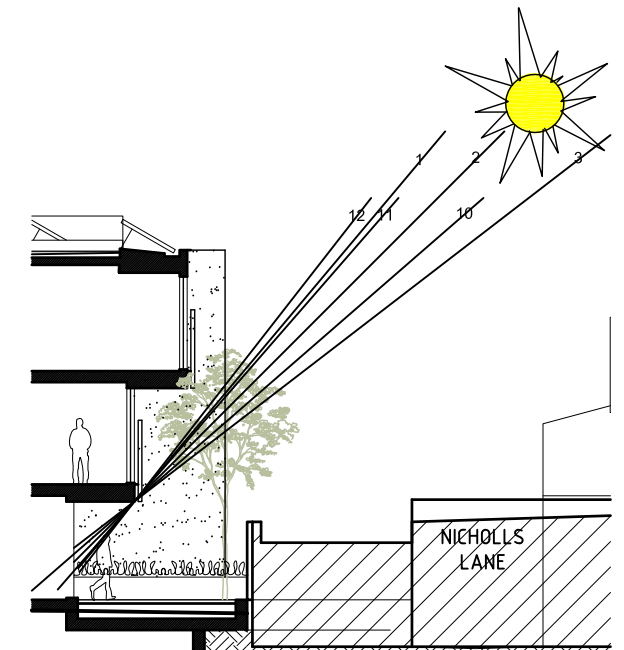
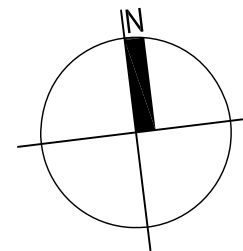
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1 SECTION: internal sight lines
SCALE 1:75



2 POS shadow analysis
SCALE 1:200



internal amenity analysis

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL_2020

Project No [2]1711/2
Dwg: TP13

AMENDMENTS			
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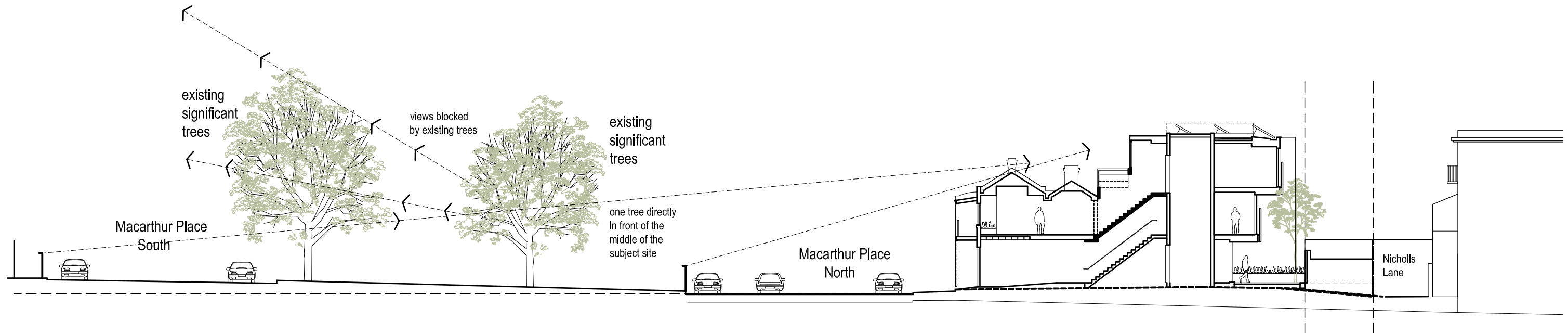
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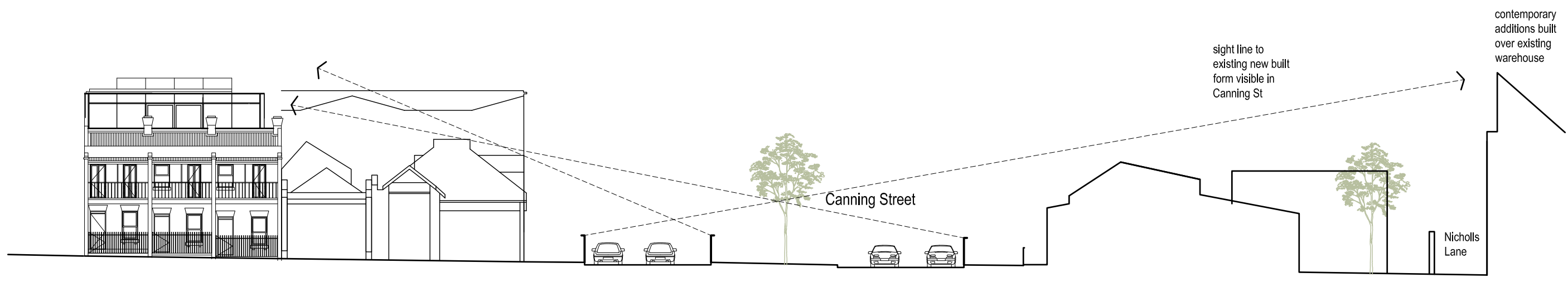
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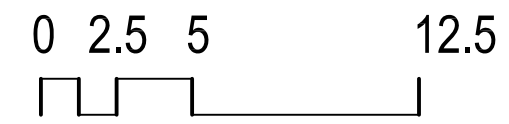
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A **STREETSCAPE SECTION**
SCALE 1:250



B **STREETSCAPE ELEVATION**
SCALE 1:250



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:250 @ A3
DATE APRIL 2020

Project No [2]1711/2
Dwg: TP14

AMENDMENTS			
Rev	By	Date	Description
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PLANNING PERMIT APPLICATION

DELEGATE REPORT

Application number:	TP-2020-533
Applicant:	Best Hooper Lawyers on behalf of Mr John Peter Piccolo
Owner:	Mr John Peter Piccolo
Architect:	DP Toscano Architects Pty Ltd
Address:	6-10 MacArthur Place North, CARLTON VIC 3053
Proposal:	Partial demolition, external alterations, and buildings and works to construct three dwellings on a lot
Cost of works:	\$985,000
Date of application:	5 August 2020
Responsible officer:	Ryan Cottrell, Senior Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 The Site

The application relates to the land known as:

- 6-10 MacArthur Place North, Carlton (the **Site**), or
- Lot 2 on Plan of Subdivision 057829 (Parent title Volume 08444, Folio 273 (the **Site**)).

The Site is located on the north side of MacArthur Place North, between Canning Street and Rathdowne Street, Carlton (Figure 1).

The MacArthur Place North frontage is 11.66 metres, the maximum depth is 26.5 metres and the site area is 294 square metres. The Site has a partial rear abuttal to Nicholls Lane which is accessed via Canning Street. The land falls from west to east.

There are no restrictive easements or covenants of relevance to this application.

The site is occupied by three attached two storey Victorian period terrace buildings that are used as dwellings (Figure 2).

The front 9 metres of the Site (principal part) contains a two storey structure with six chimneys. Beyond the principal part of the building, each attached building contains a single storey wing and a rear yard that extends north towards Nicholls Lane (Figure 3).

The City of Melbourne's Heritage Places Inventory February 2020 Part A (Amended July 2020) affords the Site a 'Contributory' category in a non-categorised streetscape.

The City of Melbourne's i-Heritage database does not provide a statement of significance for the Site however notes the front doors, fences, and painted brickwork as non-original/unsympathetic.

Figure 1 – Locality map

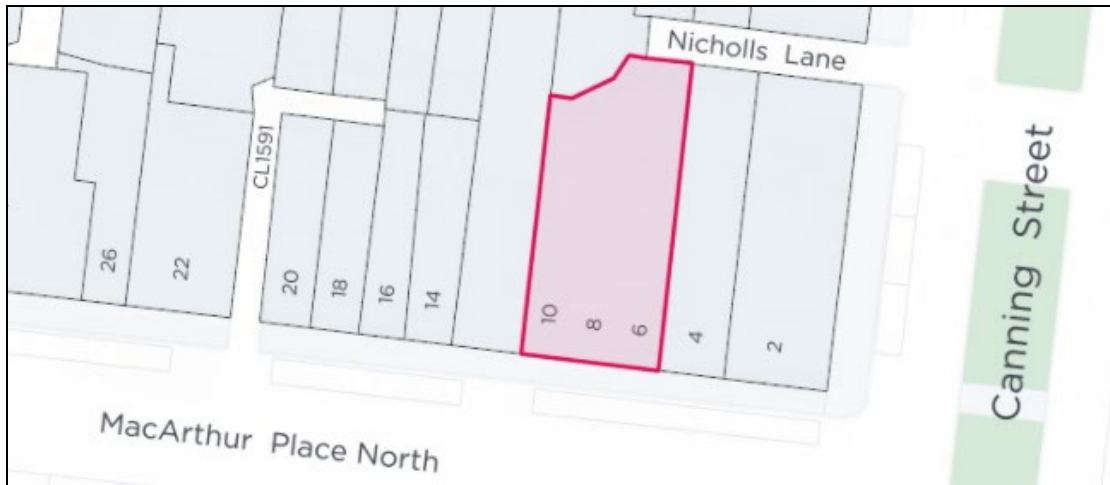


Figure 2 – The Site



Figure 3 – The Site



1.2 Surrounds

The built form in the surrounds is defined by its intact heritage built form ranging between one and three storeys. There is a theme of small narrow lots in the surrounds with high site coverage. Many of these sites have rear additions to heritage buildings, small rear backyards and garages / small buildings at the rear (Figure 4). Within the existing heritage character is an emerging character that contains higher built form and density.

There are several examples of larger scale development within 200 metres of the Site, including:

- A five storey apartment complex at 349-355 Rathdowne Street, Carlton.
- The multi storey public house development at 30-50 Elgin Street, Carlton
- A five storey apartment complex at 100-116 Elgin Street, Carlton.
- A four storey commercial building at 97-103 Elgin Street, Carlton (has a south frontage to MacArthur Place North).

Figure 4 – Built environment surrounding the Site



The adjoining sites are summarised below:

North

Adjoining the north-west corner of the Site, at 63 Elgin Street, is a single storey café and laundromat with a small southern courtyard (Figure 5). This site is not included in the City of Melbourne's Heritage Places Inventory February 2020 Part A (Amended July 2020).

Across Nicholls Lane to the north, at 55-57, 59, and 61 Elgin Street, is a row of three, three storey rendered brick buildings that contain retail and dwelling uses (Figure 5).

These buildings are constructed to the front and side boundaries and setback approximately 1.8 metres from Nicholls Lane where they have rear courtyards / rear access.

These buildings are categorised as 'Significant' in the City of Melbourne's Heritage Places Inventory February 2020 (Amended July 2020) Part A.

Figure 5 – 55-63 Elgin Street (left to right)



East

Adjoining the Site to the east, at 4 MacArthur Place North, is a single storey brick building with a rear two storey addition that is used as a dwelling (Figure 6). The building's contemporary addition is setback approximately 6 metres from the MacArthur Place North boundary and contains a small rear yard adjacent to Nicholls Lane.

The City of Melbourne's Heritage Places Inventory February 2020 (Amended July 2020) Part A affords this site a 'Contributory' category in a non-categorised streetscape.

Further east, at 2 MacArthur Place North, is a single storey building that is used as a dwelling (Figure 6). This property contains a centrally located courtyard with buildings constructed to the MacArthur Place North, Canning Street and Nicholls Lane frontages.

The City of Melbourne's Heritage Places Inventory February 2020 (Amended July 2020) Part A affords this site a 'Contributory' category in a non-categorised streetscape.

Figure 6 - 2 and 4 MacArthur Place North (right to left)



South

South of the Site is the MacArthur Place North and MacArthur Place South road reserve as well as MacArthur Square which is public open space.

Further south is a range of single and double storey buildings of contemporary and historic appearance.

Figure 6 – Buildings fronting MacArthur Place South (south of the Site)



West

Adjoining the Site to the west, at 65 Elgin Street, is a single storey building that is used as an office.

The southern portion of this site is undeveloped and is used for car parking where the land adjoins the building on the Site (Figure 7).

Further west, at 14 and 16 MacArthur Place North, is a set of two, two storey buildings used as dwellings (Figure 7). These sites have high site coverage with small rear courtyards.

The City of Melbourne's Heritage Places Inventory February 2020 (Amended July 2020) Part A affords these sites 'Significant' categories.

Figure 7 – Rear of 65 Elgin Street and 14 and 16 MacArthur Place North



2 BACKGROUND AND HISTORY

2.1 Planning Application History

The following applications, listed as relevant to the current proposal, have previously been considered for the Site and neighbouring sites:

TP number	Description of Proposal	Decision & Date
TP-2013-553 (63 Elgin Street, Carlton)	Change of use to part of the land for food and drink premises, waiver of bicycle parking requirements (Clause 52.34) and waiver of loading and unloading requirements (Clause 52.07) both associated with the use of food and drink premises	Permit issued: 14/01/2014
TP-2013-553/A (63 Elgin Street, Carlton)	Change of use to part of the land for food and drink premises. Partial demolition, works, and external alterations to the shopfront. Waiver of bicycle parking requirements (Clause 52.34) and waiver of loading and unloading requirements (Clause 52.07) both associated with the use of food and drink premises.	Amended permit issued: 13/05/2014
TP-2015-1031 (4 MacArthur Place North, Carlton)	Partial demolition and construction of alterations and additions to existing dwelling	Permit issued 12/02/2016
TP-2018-59 (VCAT Ref: P1497/2018) Subject site	Part demolition, alterations and additions to the existing buildings including a three storey rear addition plus basement parking for the purpose of three dwellings and parking in excess of the parking overlay requirement	Permit refused by City of Melbourne:20/07/2018 VCAT order affirming City of Melbourne refusal: 11/09/2019

Planning permit application TP-2018-59 is of relevance as it proposed a similar development to that seen in this application and was refused by the City of Melbourne and the Victorian Civil and Administrative Tribunal (VCAT). The specific details include:

- Rear demolition (approximately 7.7 metres behind the building façade)
- Construction of three, three storey extensions to the three existing dwellings and two levels of basement.
- 6 car parking spaces.

VCAT's reasons for affirming the City of Melbourne's refusal of permit application TP-2018-59 were (summarised):

- Lack of demolition plans.
- All six chimneys should be retained.
- The lift is dominant and tall.
- The lack of articulation to the three storey west side wall detracts from the heritage value of the Site / precinct.
- Retention of the north wall windows at Level 1 not being required as they do not contribute to the streetscape.

- The proposal fails to respond appropriately to the neighbourhood character.
- Bulk and overshadowing to 2 and 4 MacArthur Place North.
- The provision of private open space at ground and first floor apartments is unacceptable.
- The provision of six car parking spaces is not an acceptable response to Parking Overlay, Schedule 12 which has a maximum car parking rate of one space per dwelling.

2.2 VCAT Application for Review

On 17 February 2021, the permit applicant lodged an application with VCAT for review against the City of Melbourne's failure to determine the application within the statutory timeframe, pursuant to Section 79 of the Planning and Environment Act 1987.

The purpose of this report is to determine the City of Melbourne's position on the application prior to the VCAT hearing. The VCAT reference number is P22/2021.

3 PROPOSAL

The application seeks planning permission for partial demolition, external alterations and buildings and works to redevelop three dwellings on a lot. The details include:

- Demolition of the rear (northern) portion of the site, retaining the front 7.7 metres of the existing building including the façade and the front two rooms;
- Externally alter the existing façade openings and inserting a new entrance door.
- Replace the ground and first level fence and balustrade.
- Replace the existing galvanised corrugated iron roof material and repair the façade render.
- Construction of an extension to the building that contains a third storey to the which is to be set back approximately 11 metres from the front boundary (taking from the external walls). The proposed extension will have a maximum height of 9.35 metres to the parapet. The proposed roof terrace and balustrade measure 10.9 metres above the level of the ground with no part of these structures exceeding 11 metres.
- Construct a new basement level containing 3 car parking spaces, storage facilities, bin area, lift and staircases. Access to the basement is via a car elevator with access from Nicholls Lane.
- Insert a communal entry from MacArthur Place North, in the western-most bay of the terraces (10 MacArthur Place North).
- Internal works to create a lobby, corridor and lift well for access between floors.
- Reconfiguration of each level to accommodate one dwelling per level. Each dwelling will be provided with private open space in the form of a courtyard, a balcony and a combination of balcony and rooftop terrace.
- Provision of a 2,400 litre rainwater tank.
- Materials and colours include concrete panels in grey, clear glazing, black steel balustrade and perforated screening, and dark grey cladding panels.

Refer to Figures 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

Figure 8 - Proposed demolition

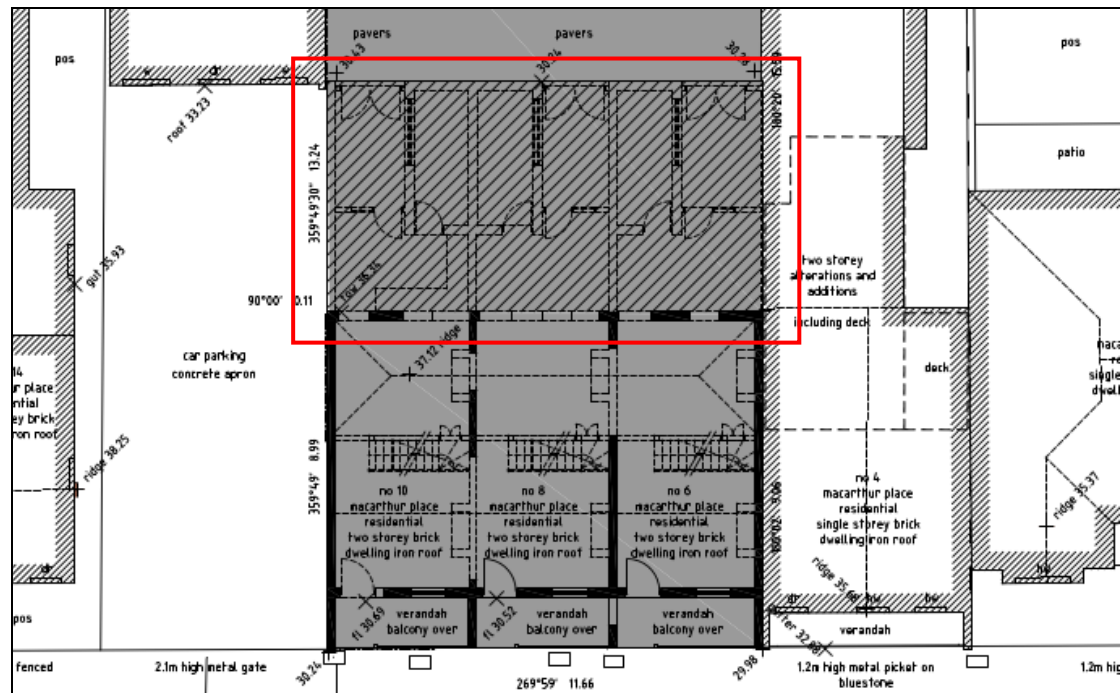


Figure 9 – Proposed basement level

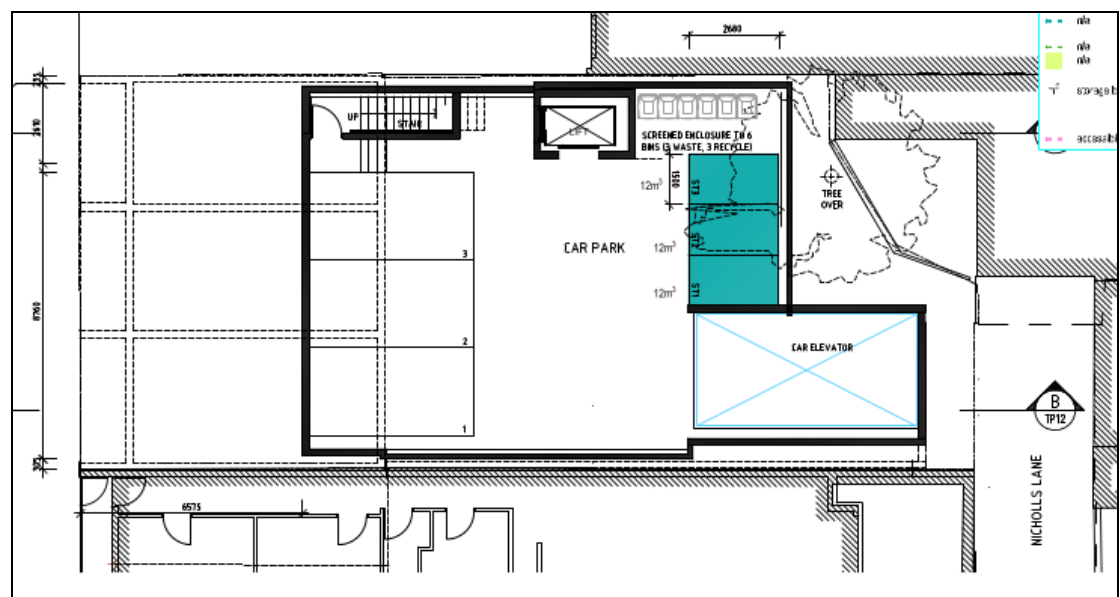


Figure 10 - Proposed ground level containing lobby and Dwelling One

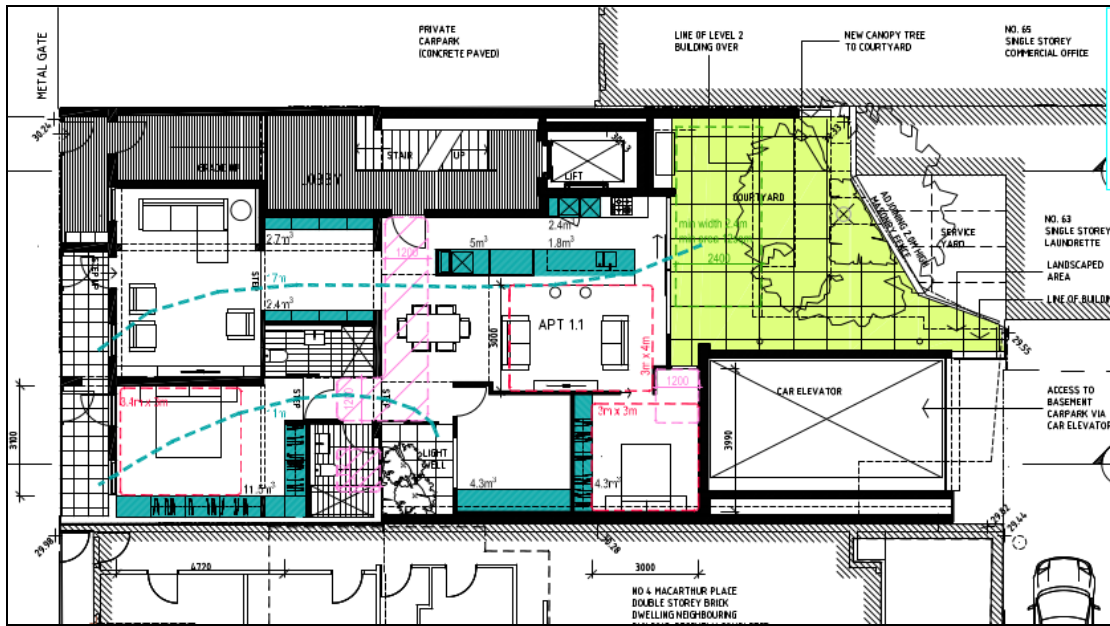


Figure 11 – Proposed first floor containing Dwelling Two

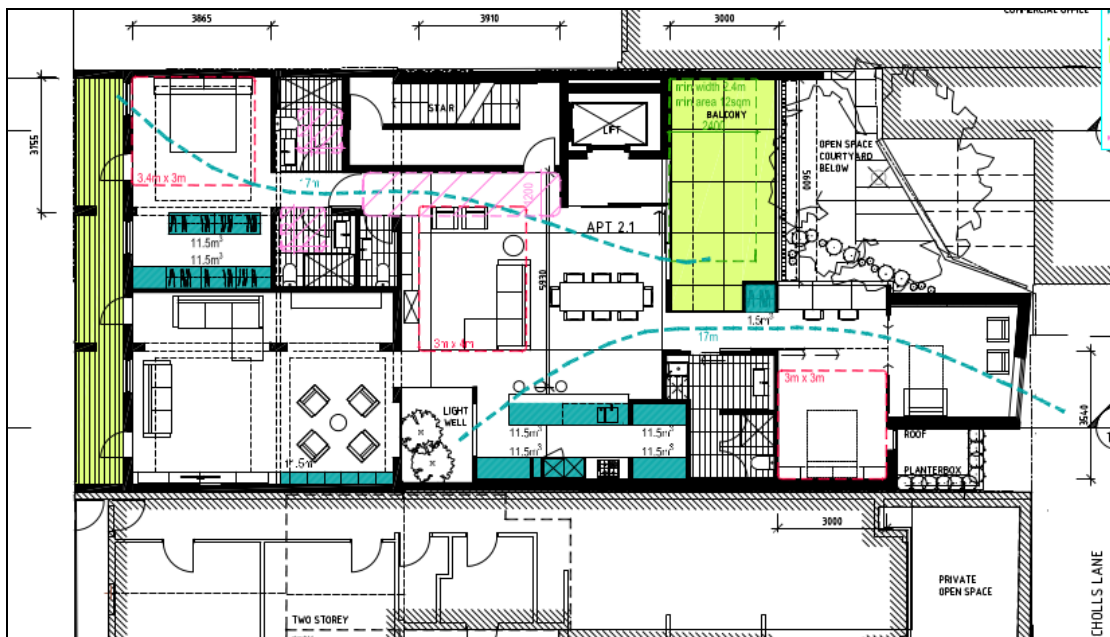


Figure 12 – Proposed second level containing Dwelling Three

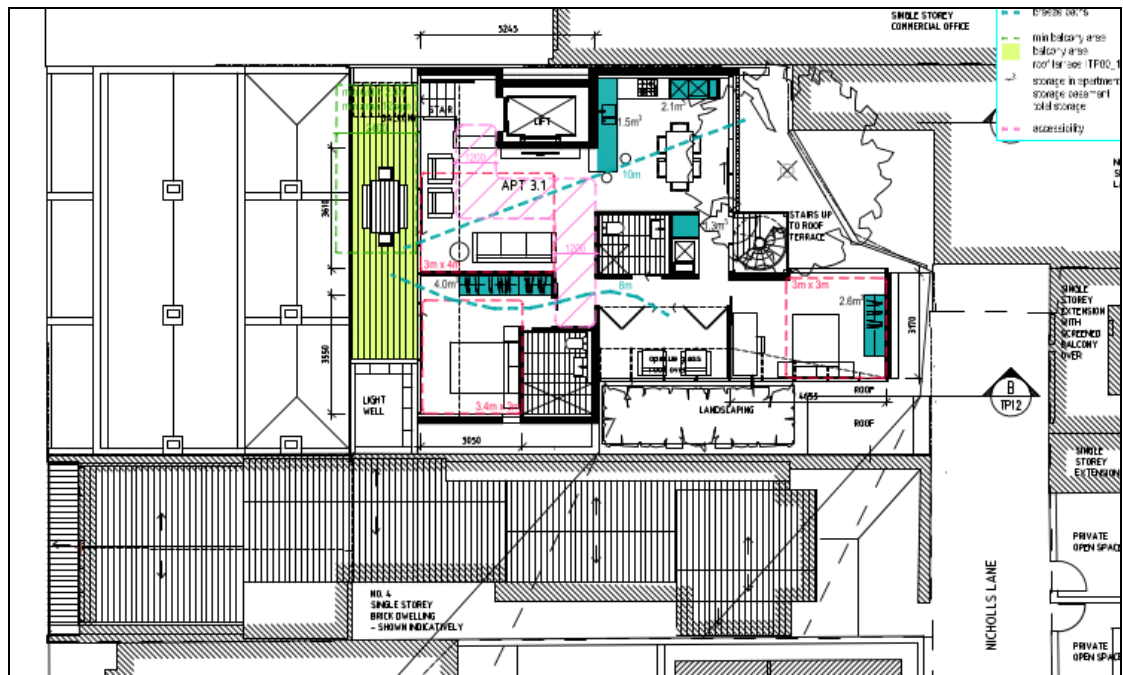


Figure 13 - Proposed roof terrace belonging to Dwelling Three

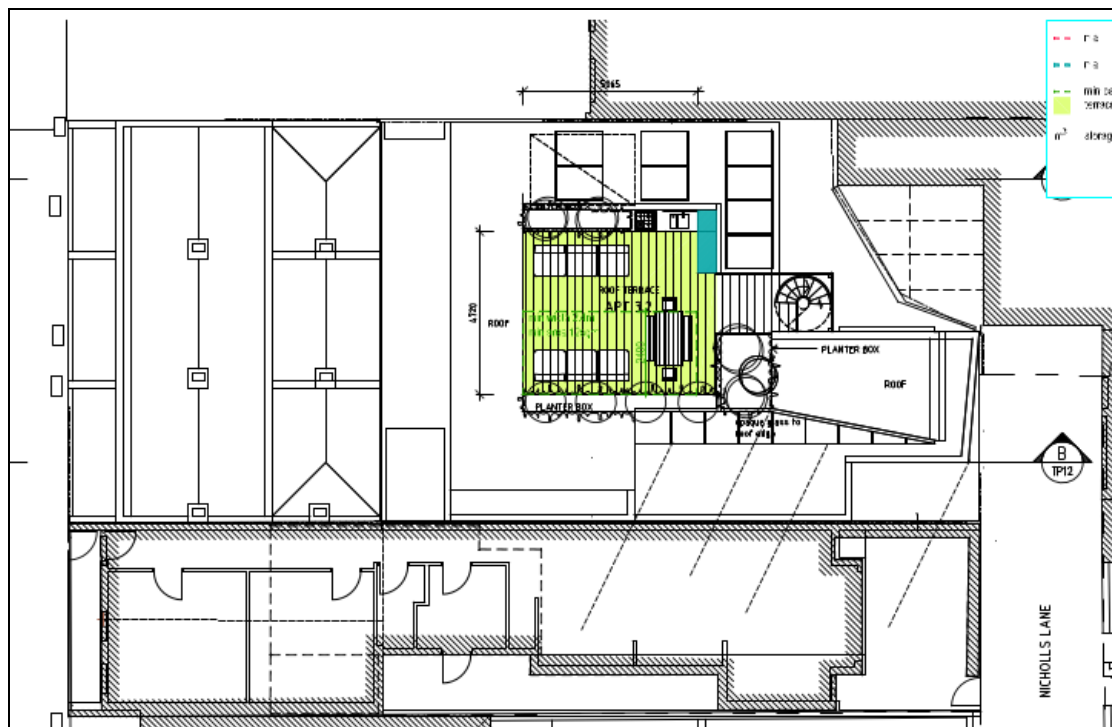


Figure 14 – Proposed south elevation

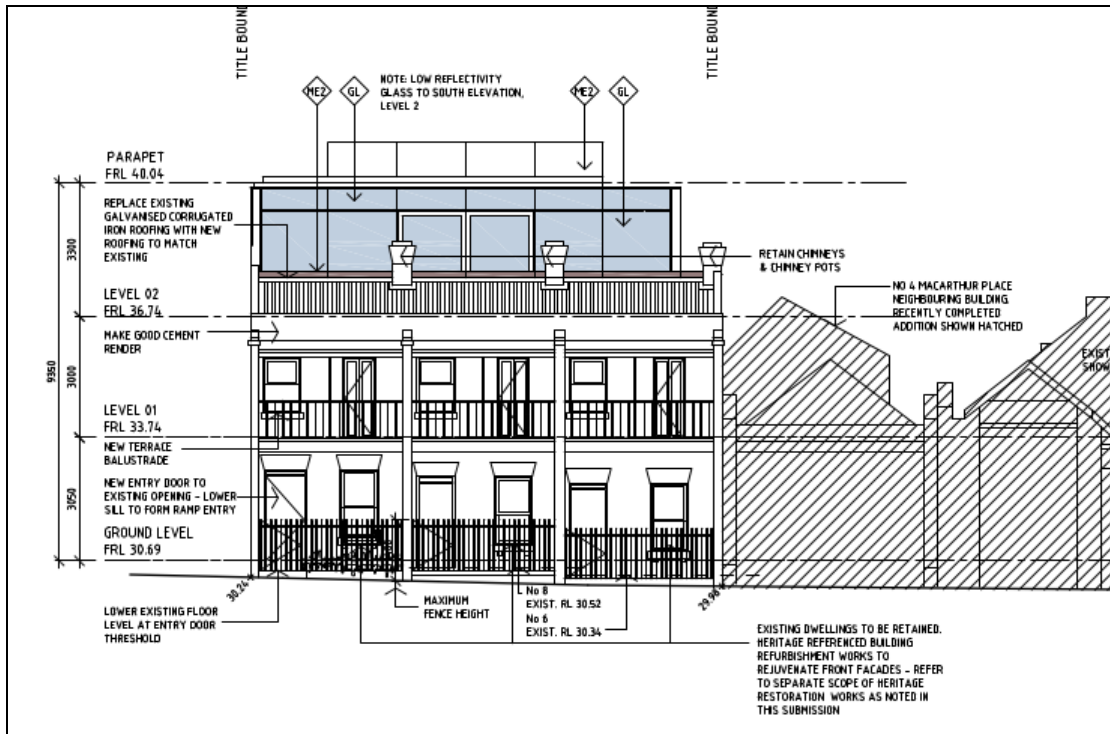


Figure 15 – Proposed west elevation

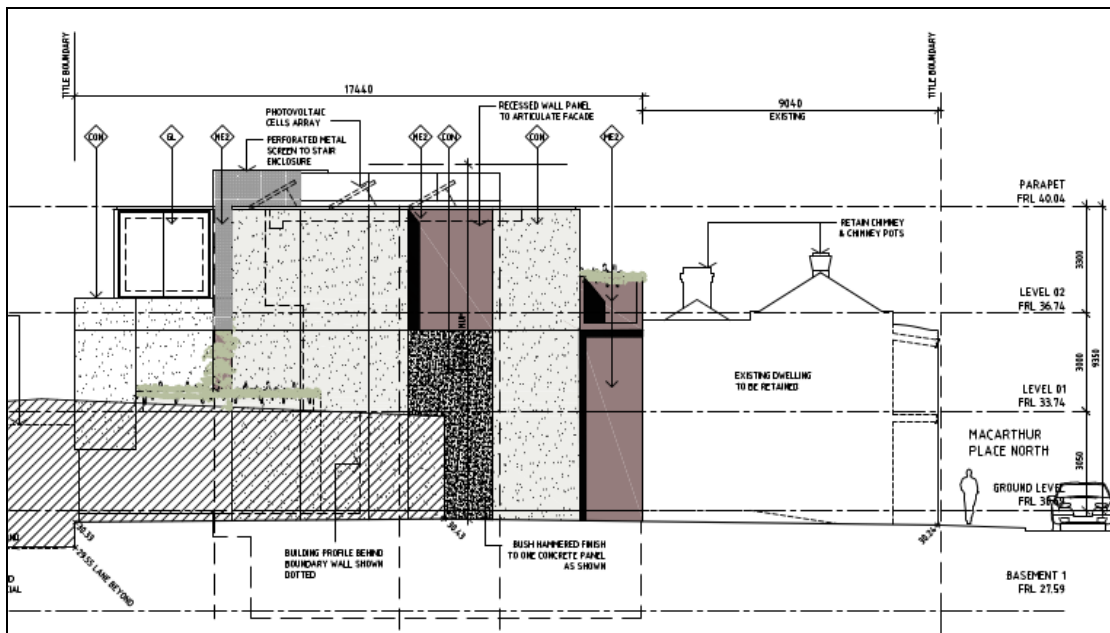


Figure 16 – Proposed north elevation

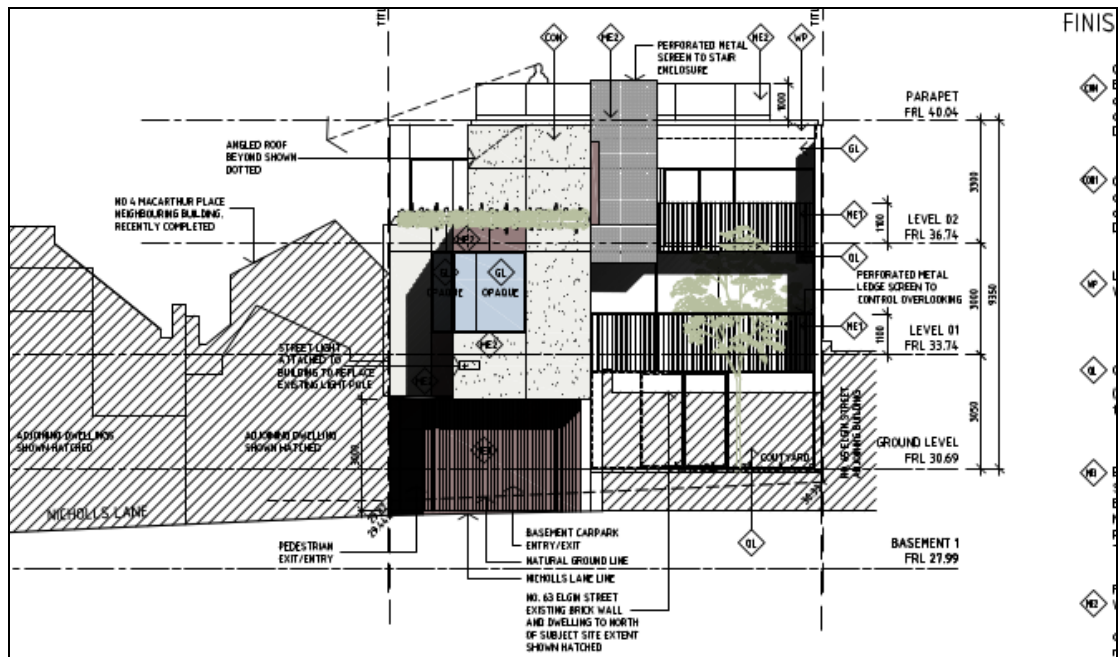


Figure 17 – Proposed section drawing

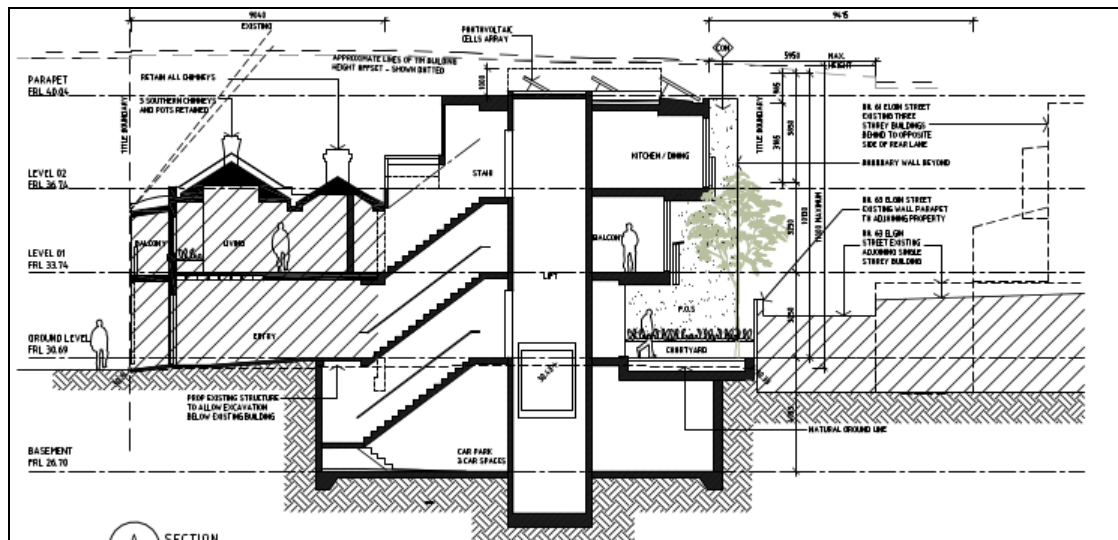


Figure 18 – 3D artistic impression



Figure 19 – 3D artistic impression



4 STATUTORY CONTROLS

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

Clause	Permit Trigger
Clause 32.08 General Residential Zone Schedule 1	<p>Pursuant to Clause 32.08-6, a permit is required to extend a dwelling if there are two or more dwellings on the lot.</p> <p>A development must meet the requirements of Clause 55.</p> <p>Pursuant to Clause 32.08-10, a building must not be constructed for use as a dwelling or a residential building that:</p> <ul style="list-style-type: none"> ▪ exceeds the maximum building height specified in a schedule to this zone; ▪ or contains more than the maximum number of storeys specified in a schedule to this zone. <p>If no maximum building height or maximum number of storeys is specified in a schedule to this zone:</p> <ul style="list-style-type: none"> ▪ the building height must not exceed 11 metres; ▪ and the building must contain no more than 3 storeys at any point. <p>The schedule to Clause 32.08 does not specify a maximum building height; therefore, 11 metres and three storeys is the maximum.</p> <p>The proposal complies with the requirement.</p> <p>The lot is less than 400 square metres; the minimum garden area requirement of Clause 32.08-4 does not apply.</p>
Clause 43.01 Heritage Overlay Schedule 1 (Carlton Precinct)	<p>Pursuant to Clause 43.01-1, a permit is required to:</p> <ul style="list-style-type: none"> ▪ Demolish or remove a building. ▪ Construct a building or construct or carry out works ▪ Externally alter a building by structural work, rendering, sandblasting or in any other way. ▪ Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

	The proposed roof replacements and façade render repairs seek to use the same materials and colours; therefore, a permit is not required for these works.						
Clause 45.09 Parking Overlay Schedule 12	<p>Pursuant to Clause 45.09-1, This overlay operates in conjunction with Clause 52.06. A schedule to this overlay may:</p> <ul style="list-style-type: none"> ▪ Vary the requirements of Clause 52.06 as allowed by this overlay. ▪ Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay. ▪ Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay. <p>Pursuant to Clause 2.0 to Clause 45.09, Schedule 12, a permit is required to provide car parking spaces in excess of the maximum number specified in the Table below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #333; color: white;"> <th style="text-align: left;">Use</th> <th style="text-align: center;">Rate</th> <th style="text-align: right;">Measure</th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">Dwelling</td> <td style="text-align: center;">1</td> <td style="text-align: right;">To each dwelling</td> </tr> </tbody> </table> <p>The application seeks to provide three car parking spaces, one to each of the three dwellings proposed. The proposed rate of car parking is equal to the maximum number specified above; therefore, a permit is not required.</p>	Use	Rate	Measure	Dwelling	1	To each dwelling
Use	Rate	Measure					
Dwelling	1	To each dwelling					
Clause 52.06 Car Parking	<p>Pursuant to Clause 52.06-3, a permit is required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay. The application does not seek to provide more than the maximum parking provision specified in Parking Overlay Schedule 12; therefore, a permit is not required.</p> <p>Clause 52.06 applies to a new use; it does not apply to the extension of one dwelling on a lot in the General Residential Zone.</p>						

5 STRATEGIC FRAMEWORK

5.1 Planning Policy Framework (PPF)

- Clause 15 - Built Environment and Heritage
- Clause 16 - Housing.

5.2 Local Planning Policy Framework (LPPF)

5.2.1 Municipal Strategic Statement (MSS)

- Clause 21.06 - Built Environment and Heritage
- Clause 21.07 - Housing
- Clause 21.11 - Local Areas
- Clause 21.16 - Other Local Areas.

5.2.2 Local Policies

- Clause 22.05 - Heritage Places outside the Capital City Zone
- Clause 22.17 - Urban Design outside the Capital City Zone
- Clause 22.19 - Energy, Water, and Waste Efficiency
- Clause 22.23 - Stormwater Management (Water Sensitive Urban Design).

6 PARTICULAR PROVISIONS

- Clause 55 - Two or more Dwellings on a Lot and Residential Buildings.

7 GENERAL PROVISIONS

- Clause 65 - Decision Guidelines.

8 PUBLIC NOTIFICATION

None of the permit requirements exempt the application from notice. 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 a notice on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

9 OBJECTIONS

A total of 66 objections were received, and raised the following concerns with the proposal (summarised):

Traffic

- Traffic conflict/safety at Nicholls Lane and Canning Street between pedestrians, cyclists, and cars.
- Nicholls Lane is too narrow for car access.
- Lack of traffic flow diagrams.
- Underground parking will change the landscape of the street.
- Traffic causing damage to the adjoining properties and bluestone lane.
- Projecting letter boxes, waste storage hinder use of the rear lane.
- Vehicle traffic will reduce the areas property value, downgrading rental income.
- Proposal doesn't align with the Councils Transport Strategy 2030.
- Car parking provision inappropriate - number and design.

Amenity impacts

- Potential noise complaints from new residents about existing laundromat.
- Noise from terrace.
- Compliance with Clause 55, including:
 - Overlooking
 - Visual bulk
 - Building height
 - Overshadowing
 - Private open space objective
 - Access to sunlight
 - Site coverage
 - Rear setbacks insufficient.

Built environment and heritage

- Non-compliance with local built form policies.
- Historical artefacts within the soil will be lost if the land is disturbed.
- The roof garden infers 4 storeys.
- Consistency with the adjoining built form.
- Over development of the Site
- The proposal detracts from heritage character of Carlton.
- Character of the building will be lost.
- The application will increase the density of the area, negatively impacting the area's character.
- Visibility of the addition.
- Impacts to the heritage history and character of the rear lane.
- Building scale.
- DDA compliance relating to accessing the lane.
- Neighbourhood character.

Other

- Loss of views.
- Swing of the door at 59 Elgin Street is incorrect on the plans.
- Damage to property, noise and air pollution during construction.
- Excess of housing in Carlton / the development will set a precedent for new apartments.
- 3D views not provided.
- Failure to response to VCAT's findings in P1497/2018.
- Door to 61A Elgin not shown on the plans.
- Claims that the developer's integrity of information is lacking.
- Impacts to solar panels approved under planning permit TP-2015-1031.
- Removal of a light pole.
- Tenant does not want to move out.
- Structure of the building to handle the development.
- Application cost seems incorrect. MPL should be required as the cost is likely greater.
- The landscaping does not seem realistic.
- Waste management plan is inappropriate.

The above matters are addressed at Section 12 of this report.

10 CONSULTATION

Given the receipt of the above objections, the objections were forwarded to the applicant for their consideration. The applicant did not opt to make any amendments to the built form that was advertised.

11 REFERRALS

11.1 Internal

The following referrals were required:

11.1.1 Heritage

The application was referred to the City of Melbourne's Heritage Advisor who provided the following comments:

"When assessed from the opposite side of the public street at Macarthur Place South directly in front, the three storey addition is sufficient in its setback for prominence of the 3 existing row houses to be retained. However, the proposal raises heritage concerns in relation to:

- demolition of fabric which contributes to significance,
- the form of the addition as this attaches to and rises above the north elevation of the front wing,
- the extent of alteration to the retained fabric,
- the lack of specificity for façade works, and
- the impact of the blank walls proposed for the east and west elevations."

They also provided the following recommendation:

"Adaptation of 3, side-by-side, two-storey row-houses into level-by-level tenancies which straddle the 3 dwellings, requires extensive removal of existing structure. Retention of the roof and roof structure, and the chimneys and parapets, as required by local heritage policy, will be made difficult by the extensive removal proposed.

The first floor north elevation of the front wing retains original windows and wall surfaces which are an unusual and distinctive built form contributing to significance. The proposal would demolish most of the north wall and all the windows. The north eaves and eaves gutter would be demolished to allow Level 02 to attach to abut the existing north wall.

The works proposed to the front façade would remove 6 original windows, 3 original First Floor doors and the original front door frames. Significance would be diminished by the replacement of the original window and door joinery. Where original elements have been removed at the verandah and front fences, the proposed replacement with square hollow section aluminum would not be respectful of the three early Carlton dwellings. And no detail is provided for conservation works to the front façade. Repair to render is noted, but the existing painted face-brickwork forming the bulk of the front façade walls is not noted as retained. Ideally the paint would be removed from the brickwork.

The proposal is not supported in its current form. However, attention to the following matters would likely result in a supported proposal:

1. "Roof to the front wing.
 - a. Amend the drawings to show the existing roof forms as indicated in Figure 2. Red lines show ridge and hips, yellow arrow shows location of north eaves gutter, at red arrow delete line and show north eaves gutter. The drawings do not correctly show the longer north slope of the hipped roof, the associated north eaves gutter.

And at the north side of the gable roof the existing eaves gutter is not shown.

- b. Nominate galvanized corrugated roofing where the roof sheets are to be replaced.
 - c. Nominate a half round or quad gutter profile for eaves gutters.
 - d. Annotate the drawings – “Retain of the existing roof slopes and gutters, and the associated roof structure in situ.
2. Existing east and west elevations, northern parapet.
 - a. Set back level 02 at least 300mm from the existing north elevation. Red arrow on Figure 3.
 - b. Amend the drawings to show the existing form retained at the north east and north-west.
 3. North elevation
 - a. Retain the existing windows in the north wall. Ideally all three windows would be retained. Retention of the windows to no. 6 and no.8 can be achieved without amendment to the proposed layout. See Figures 4 and 5.
 - b. Where additional openings are proposed to the north wall, retain at least 250mm of brickwork above the opening. Figure 6.
 4. South elevation. Macarthur Place North façade.
 - a. Retain original windows, door and door frames. Annotate the drawings to indicate retention. Retain inward opening front doors to the Ground and First Floor verandahs.
 - b. Delete the proposed openings to the verandah party walls. (Blue arrows See Figure 5.)
 - c. Amend the drawings to show the face brick wall surfaces and bluestone trims.
 - d. Amend the drawings to show rendered surfaces.
 - e. Amend the proposal for the verandah balustrades and front fences. Delete the proposed aluminum sections and adopt timber materials.
 - f. Provide details for the Verandah Terrace paving materials.
 5. Delete the “heritage works specification”. Nominate the materials and works proposed on the elevations. Nominate galvanized roofing.
 6. Materials east and west walls at addition
 - a. Moderate the form and materials to diminish apparent bulk and the prominence when viewed from Macarthur Place North, Canning Street and Nicholls Lane.

7. Design prepared by a suitably qualified and experienced structural engineer.
 - a. Provide a structural engineering design showing how the roof structure, parapets, the north wall of the gable roof section and the north wall of the hipped roof section, can be retained in situ.
 - b. Provide a structural engineering design showing how the in situ retention of the chimneys can be achieved.”

Planner's Response

The above recommendations were sent to the applicant. The applicant advised that many of the above items would be accepted as permit conditions.

It is recommended the above heritage recommendations be transferred into permit conditions. The points disputed are discussed at Section 12 of this report where all the relevant heritage policies are assessed.

11.1.2 Urban Design

The application was referred to the City of Melbourne's Urban Design Team who prepared the following comments (summarised):

- The higher built form raises concerns relating to the heritage context.
- The proposed height is acceptable however the roof terrace inserts height above the parapet which will be visible from Macarthur Place North and Canning Street.
- The terrace adds to the perceived bulk of the proposed addition, resulting in a more visibly dominant built form and it is not supported.
- The setbacks at the upper level allows for additional separation from the adjacent property and ensures a less dominant massing presentation to Canning Street where the east elevation is divided into two distinct elements. This is supported.
- We support the relocation of the lift (and blank wall) away from the southwest corner of the contemporary addition. This reduces the visual bulk at this highly visible interface, and ensures a more lightweight interface to Macarthur Place North.
- In terms of the proposed materiality, we note that the contemporary addition features predominately tinted glazing and concrete blank wall treatment to the east and west. We recommend the integration of more tactile and natural materials such as timber or stone to add a sense of warmth and tactility to the elevations.
- We have concerns regarding the extent of development and the resulting daylight, outlook, and privacy concerns for both inhabitants and neighbours.
- The current set of drawings do not yet adequately address the concerns regarding the quality of open space to the rear, given the depth of the cantilever above.
- Urban Design does not support the application and recommend further design development to address the items highlighted above.

Planner's Response

A complete assessment of the relevant built environment and urban design policies is found at Section 12 of this report.

11.1.3 Urban Services (Waste)

The application was referred to the City of Melbourne's waste team who provided the following comments:

"We have reviewed the Waste Management Plan (WMP) submitted for this proposal from Onemilegrid dated 20th July 2020 (DM#13858614 p.64) and found it to be unacceptable.

The following item needs to be addressed:

- The proposed building layout would require residents to travel an excessive distance from the development to the kerbside to put their bins out for collection. The requirement to transfer bins via Nicholls Lane and Canning Street is an OH&S risk that is unacceptable."

Planner's Response

The provided WMP is not supported by the waste team due to the travel path from the basement level to Canning Street and then to MacArthur Place North. Throughout the process, Waste and Recycling noted they would accept an updated WMP that shows an internal travel path for waste to reduce the overall distance travelled. It is recommended that a permit condition relating to a WMP be included on any permit issued.

11.1.4 Traffic

The application was referred to the City of Melbourne's traffic engineers who did not object to the proposal or recommend any permit conditions.

Planner's Response

The proposed number of car parking spaces and access to the Site from Canning Street is considered to be acceptable. City of Melbourne planning officers confirmed with Traffic Engineering on more than one occasion that the proposed car access would not introduce unreasonable or unsafe traffic conditions. The proposed design has been assessed and found to allow for satisfactory manoeuvrability.

Additional traffic matters are addressed at Section 12 of this report.

11.1.5 Civil Design

The application was referred to the City of Melbourne's Infrastructure and Assets (Civil Design) team who provided standard permit conditions and the following comments:

"The proposed development includes the provision of a vehicle access from Nicholls Lane, which has impact on a street lighting pole. The pole shall be relocated to the satisfaction of the Responsible Authority. We do not support installation of a wall mounted light as shown on the proposed drawings. The drawings shall be amended and include a reference to the street lighting pole relocation.

The proposed building does not allow the provision of continuous road width along the laneway adjacent to the rear of the site. We recommend redesigning the building to provide the same road width.

The title boundary of the subject land is located with a minor setback from the proposed building alignment. This matter shall be referred to the Land Survey team for comment.”

Planner’s Response

It is recommended the conditions provided be included on any permit issued.

It is also recommended that a condition for amended drawings be included on any permit to show the removal the proposed wall mounted streetlight. The standard condition relating to the relocation of the existing light pole will adequately allow for an acceptable alternative.

11.1.6 Land Survey

The application was referred to the City of Melbourne’s Land Survey team who provided the following comment:

“Land Survey has no comments in relation to the parcel of land.”

Planner’s Response

Land Survey did not object to the minor ground level setback at the rear of the Site that adjoins Nicholls Lane.

11.2 External

The application was not required to be referred externally.

12 ASSESSMENT

The application seeks planning permission for partial demolition, external alterations and buildings and works to extend three dwellings on a lot. The key issues for consideration in the assessment of this application include:

- Heritage
- The built environment (urban design) policies
- The objectives and standards of Clause 55
- VCAT’s determination of TP-2018-59
- Traffic
- Objections.

12.1 Heritage

The key consideration of this application regarding heritage is the appropriateness of the works to the existing ‘Contributory’ heritage building on the Site and the impact the proposal may have on the Carlton Precinct.

The Site is listed as ‘Contributory’ in the City of Melbourne’s Heritage Places Inventory February 2020, Part A.

Incorporated Document *Heritage Precincts Statements of Significance February 2020* provides the following statement of significance for the Carlton Precinct:

“Carlton Precinct was developed from the mid-nineteenth century as part of the extension of Melbourne to its north during a period of significant population growth. Significant and contributory development in the precinct dates from the mid nineteenth century through to the interwar period, although Victorian development predominates. Some places of heritage value may also be outside this date range. The precinct is mainly residential, with some commercial streetscapes and commercial buildings scattered

throughout; institutional development; and limited small scale former manufacturing and industrial development, mostly dating from the early twentieth century. The various parks, gardens and squares, and mature street plantings and rows, are also components of the significant development of the precinct.”

The incorporated document also provides the following relevant key attributes of the precinct:

- Typical nineteenth century building characteristics including:
 - Use of face brick and rendered masonry building materials, with timber and bluestone indicating earlier buildings.
 - Hipped roof forms with chimneys and parapets; verandahs with decorative cast iron work and tiled floors; iron palisade fences on stone plinths; and limited or no front and side setbacks.
- Typically low scale character, of one and two-storeys, with some larger three-storey buildings.
- Streets of consistent scale, or with greater scale diversity incorporating modest and larger buildings.
- Streets of consistent historic character, contrasting with those of more diverse character.
- Streets which are predominantly residential and others which are predominantly commercial; with historic shops and hotels including corner hotels distributed across the precinct.
- Views from lanes to historic outbuildings and rears of properties, providing evidence of historic property layouts.
- ‘Layers’ of change associated with phases of new residents and arrivals, including Eastern Europeans, Italian immigrants, and students of the 1960s and 1970s.
- Nineteenth century planning and subdivisions as evidenced in:
 - Hierarchy of principal streets and lanes.
 - Generally regular grid of wide, straight and long north-south and east-west streets, with secondary streets and a network of lanes.
 - Pattern of finer grain allotment sizes to residential streets, with coarser grain to principal streets and roads.
 - Lanes which provide access to rears of properties and act as important minor thoroughfares.
 - Distinctive small public squares, influenced by London-style development, including Macarthur Place, Murchison Square, Argyle Square and University (Barry) Square.
- Principal streets characterised by their width and open character, with vistas available along their length; these are sometimes distinguished by later central medians and street tree plantings.
- Historic street materials including bluestone kerbs and channels, and lanes with original or relayed bluestone pitchers and central drains.
- Vehicle accommodation which is generally not visible from principal streets, but more common to rears of properties, with rear lane access.

The proposal is an acceptable response to the relevant heritage policies for the following reasons:

- The proposed demolition and works align with the performance standards at Clause 22.05 and does not unreasonably affect the significance of the heritage place.
- The proposal seeks to refresh and enhance the appearance of the heritage place which contains non-original fencing, balustrades, and doors.
- The proposed addition does not unreasonably dominate the contributory building on the Site or unreasonably detract from any neighbouring heritage place or the Carlton Precinct.

The following assessment of the Clause 22.05 performance standards has been provided to address the appropriateness of the proposed development.

12.1.1 Demolition

Clause 22.05 states that partial demolition to significant elements or the front or principal part of a contributory building will not generally be permitted.

Clause 22.05 defines the front or principal part of a building as:

“The front or principal part of a building is generally considered to be the front two rooms in depth, complete with the structure and cladding to the roof; or that part of the building associated with the primary roof form, whichever is the greater. For residential buildings this is generally 8-10 metres in depth.”

The proposed partial demolition to the contributory building is acceptable for the following reasons:

- The demolition is proposed to start beyond the front two rooms in depth, preserving the main structure, roof form, and chimneys.
- The removal of the front fences, balustrades and the door to No.10 is acceptable as the fence and balustrades are not original. The removal of the front door to No.10 is acceptable in this instance as it will allow for equal access to the building's lobby, improving the Site's continued use.
- The demolition works do not relate to structures that are immediately visible from the street and avoid removing fabric that would adversely impact the heritage character of this building.

This is confirmed as the proposed demolition does not seek to remove notable features of the building that are listed in the City of Melbourne's i-Heritage database or any notable features identified in the Carlton Precinct Statement of significance.

If it weren't for the vacant lot immediately west of the Site, the structures proposed to be demolished would not be visible from the public realm.

- The proposed demolition will facilitate the extended use of the Site without compromising the principal part of the building.
- The proposed demolition will not compromise the appearance or character of the heritage place.
- While the proposal contains significant internal rearrangement, these works do not require a permit as Clause 43.01 does not insert internal controls in this instance. Regardless, the demolition does not seek to alter the three dimensional form of the place or insert façadism; the levels and floor to ceiling heights are preserved.

- The proposal retains all six original chimneys.
- The proposed demolition works will not affect the conservation of the retained principal part of the buildings.
- It is noted the parapet termination at the east and west elevations is not shown on the plans. Given these are original elements; it is recommended they be retained. The applicant has confirmed this would be accepted as a permit condition.
 - It is recommended the parapet termination points be retained through a permit condition.
- The City of Melbourne's Heritage Advisor noted the north wall windows at Level 1 as being original. They commented that all three windows should be retained and identified the windows at 6 and 8 MacArthur Place North could be retained without significantly impacting the proposal's floor plan layout (Figure 20). Given the window for No. 6 is located adjacent to a light well, it is agreed this original window should be retained.

Although retention of No.8's window is possible, it would result in a window located in wall between two living areas and would not be visible from outside the building. No.10's window is located where the proposal's internal stairs are, and its retention is more difficult given the proposed layout.

The applicant accepted retention of the window at No.6 and requested it be achieved through a permit condition. The applicant advised retention of the window at No. 8 and 10 would comprise the proposals internal arrangement and would not be accepted.

VCAT did not identify these windows as being required to be retained when assessing the appeal against Melbourne City Council's refusal of TP-2018-59. Retention of the window at No. 6 is an acceptable and balanced outcome considering this will be the only window visible from outside the building and that VCAT noted the north windows were not required to be retained.

- It is recommended a condition be included on any permit that requires the north window of Level 1 of 6 MacArthur Place North be retained.
- The City of Melbourne's heritage advisor has raised issue with the demolition of the brick party walls at the ground and first floor verandahs (Figure 20 and 21).

This demolition is likely desired to improve connectivity between the rooms behind the verandahs.

In this instance, the removal of the party wall at the ground level is not supported. The proposed demolition seeks to remove original fabric without providing adequate justification. The opening will be approximately 0.7 metres and will not provide meaningful connectivity and will be highly visible from the street. This demolition would detract from the presentation and arrangement of the terrace buildings and their three dimensional form.

In this instance, the removal of the first floor party walls is accepted. This proposed demolition will not be as visible as the ground level and the proposed demolition inserts connectivity that is justified. Given the internal arrangement of the proposed first floor results two large rooms, without the removal of the party wall sections the central balcony bay would be isolated. This proposed demolition provides for the balcony use to be increased and ultimately enjoyed further.

Figure 20 – Level 1 north wall windows (original window locations shown in green; openings to party walls shown with blue arrows)

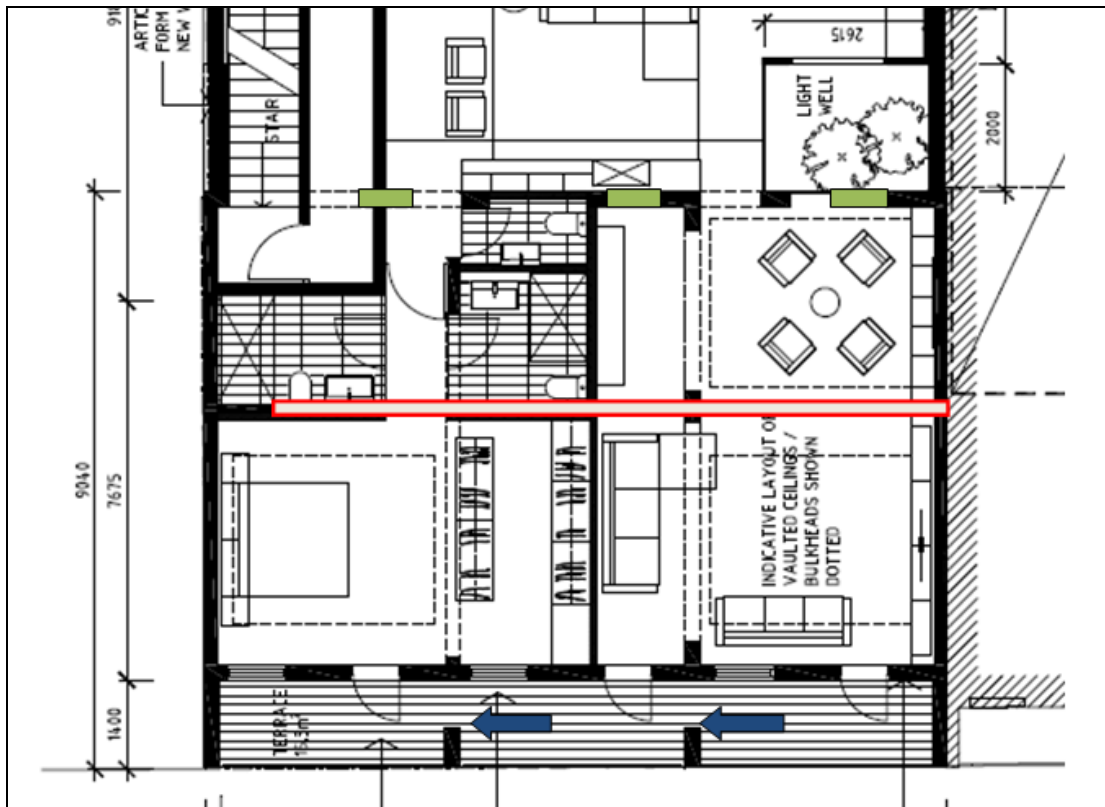
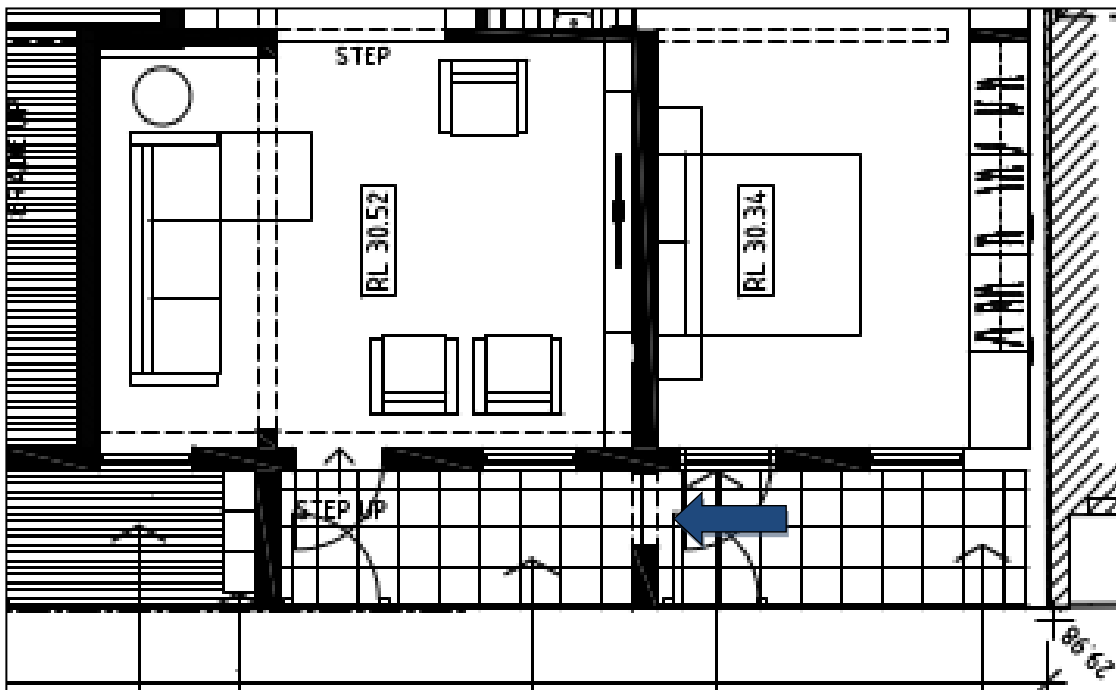


Figure 21 – Ground level plan showing proposed demolition to verandah party walls



12.1.2 Alterations

The proposed external alterations to the front fence and balustrade are acceptable in this instance. The existing details are not original, and the proposed replacements are simple in design and respectful.

The proposed details adopt a modern design approach while maintaining a historic scale and form without proposing a direct reproduction. While timber would be a positive addition as per the City of Melbourne's Heritage Advisors comments, the proposed painted metal fence and balustrade would not detract from the character or appearance of the Site or Carlton Precinct.

12.1.3 Additions

The proposed addition to the contributory building is an acceptable response to the policy at Clause 22.05 based on the following:

- The works are respectful to the buildings character and appearance as they are isolated beyond the principal part of the building.
- The addition does not present as a dominate form or visually disrupt the appreciation of the host heritage building (Figures 22 and 23).
- The height of the structure above the parapet is acceptable in this instance. The proposed terrace balustrade is set back approximately 13 metres from the Site frontage and is adequately concealed by the existing building.
- The addition aligns with the existing built form theme at Nicholls Lane by responding to the two storey rear structure built to the north boundary of 2 MacArthur Place North (Figure 24).
- The addition will not obscure views of any significant heritage features when viewed from the east at Canning Street. The proposed setbacks at the north-east corner of the Site adequately reduce visual bulk and visual dominance.
- The design is clearly modern and distinct from the retained heritage form, aligning with other contemporary buildings and additions within the immediate surrounds.
- The scale of the proposed development is not out of character for the immediate surrounds which contains several larger historic and contemporary buildings.
- The proposed contemporary roof form and terrace is acceptable in this instance as it would not be practical to replicate the gabled roof structure of the rear wing across the new addition.

This also ensures the new addition will be contemporary in appearance, ensuring the retained heritage structure and proposed form is easily distinguishable.

- The proposed addition provides an acceptable transition of building height from the two storey structure on the Site to a three storey height which is similar to the buildings to the north.
- The modern materials applied to the addition are acceptable as they are secondary to the host heritage building and partially concealed by the existing surrounding built form.
- The proposal acknowledges the key attributes of the Carlton Precinct by:
 - Maintaining a two and three storey building height.
 - Providing a design that responds to the mixed built form character of this part of Carlton which contains a range of contemporary and historic buildings.
 - Inserting rear vehicle access via Nicholls Lane.

- The overall design and simple upper level facade treatment ensures that emphasis is directed to the host heritage form and presentation, avoiding a visually dominate structure.

Figure 22 – 3D artistic impression



Figure 23 – 3D artistic impression



Figure 24 – Rear of 2 MacArthur Place North



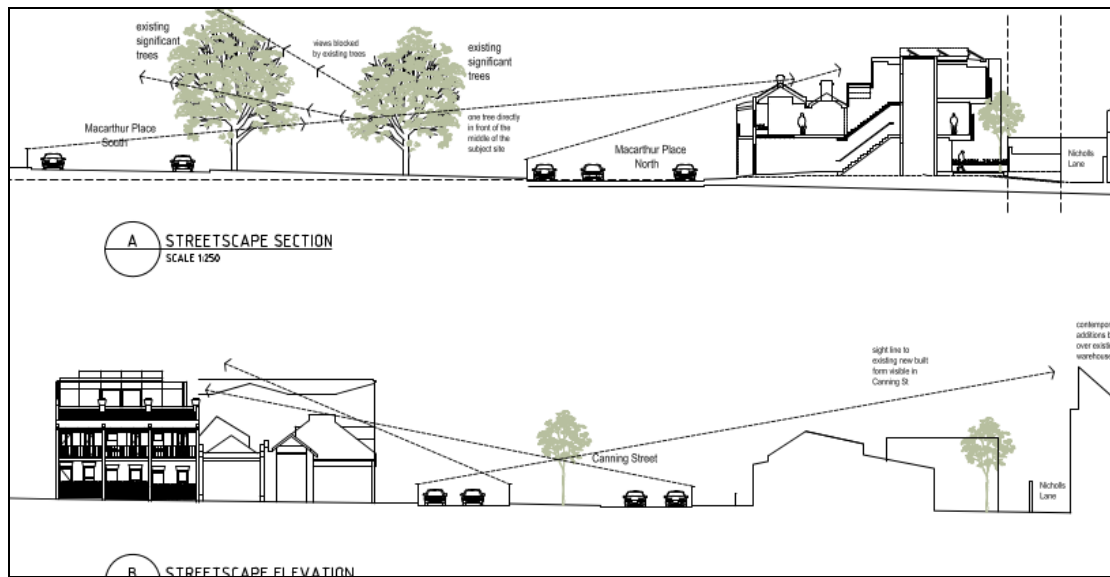
12.1.4 Concealment of additions

The proposed addition is partly concealed behind the existing heritage building; this is appropriate (Figure 25). While the addition will be visible from the intersection of Canning Street and Nicholls Lane, the visibility of the structure will not unreasonably detract from the character of Canning Street or Nicholls Lane or dominate the adjacent buildings.

The visibility of the addition is mitigated by:

- The structure being setback approximately 14 metres from Canning Street.
- The existing context which contains a two storey blank wall addition at the rear of 2 MacArthur Place North (Figure 24).

Figure 25 – Proposed sightlines



12.1.5 Vehicle accommodation and access

While Clause 22.05 discourages on-site car parking and garages, the proposed vehicle accommodation and access is acceptable in this instance for the following reasons:

- The on-site parking areas are located at the rear of the property and are accessed via an existing road.
- The proposed rear addition and introduction of car parking access will not significantly alter the existing lane appearance or use, aligning with the existing laneway character. The use of lanes for vehicle access is identified as a key attribute within the Carlton Precinct's statement of significance.

12.1.6 Services and Ancillary Fixtures

The proposal adequately obscures and locates services so their presence does not visually detract from the Site or streetscape.

12.2 Built Environment (Urban Design)

The proposal is an acceptable response to the relevant built environment policies for the following reasons:

- The built form aligns with the height, scale, context, and bulk of the buildings either side of the Site. This is achieved through proposing a respectful height

which transitions from the two storey buildings lining MacArthur Place North towards the three storey buildings to the north at Elgin Street.

- The proposed addition is setback appropriately so that it is not a dominant addition to the streetscape at MacArthur Place North or Canning Street.
- Despite the City of Melbourne's Urban Designers not supporting the proposed addition's height or the bulk that results from the roof terrace balustrade these items are considered to be of minor impact and hence acceptable.

The partial concealment of the addition and variation in setbacks and materiality provide reasonable mitigation against visual bulk or dominance. It is noting the City of Melbourne's Heritage Advisor has not raised issue with the height of the proposal.

- The higher side boundary walls contain a range of materials, setbacks, rebates, and detail to avoid unreasonable mass. The measures employed provide for adequate levels of visual interest.
- The new building does not introduce overshadowing to the public realm.
- The proposed vehicle access points are located at the rear, aligning with the built environment context within the surrounds and minimising pedestrian conflicts.

12.3 Clause 55 (ResCode)

Clause 55 (ResCode) sets out objectives and standards relating to neighbourhood character, site layout and building massing, off-site and on-site amenity and detailed design.

As demonstrated in the attached Clause 55 assessment, the proposal satisfies the relevant objectives and standards. The areas of non-compliance with standards and contentious objectives / standards are assessed below:

Site Coverage – Clause 55.03-3

The proposal has a total site coverage of 85 per cent which is greater than the existing the 60 per cent requirement of Standard B8.

The objective of Clause 55.03-3 seeks:

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

The variation of the standard is acceptable in this instance given the immediate surrounds has generally high site coverage. The proposed site coverage responds to the existing neighbourhood character, meeting the objective of Clause 55.03-3.

Permeability – Clause 55.03-4

The proposal contains 15 per cent permeable land which is less than the 20 per requirement of Standard B9.

The objective of Clause 55.03-4 seeks:

To reduce the impact of increase stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

The variation is acceptable in this instance given the proposal contains two 2,400 litre rainwater tank which results in a STORM rating of 100 per cent. This will effectively

reduce the Site's impact on the existing stormwater drainage system and satisfies the objective of Clause 55.03-4.

Side and Rear Setbacks – Clause 55.04-1

The proposal predominately contains buildings constructed on the boundaries and is assessed under Standard B18.

The second level of the proposal is setback from the east boundary and is subject to Standard B17 of Clause 55.04-1.

The rear (north) wall at Level 2 is 10.1 metres above the ground and is setback 1.2 metres from the north boundary. This wall is required to be set back 5.79 metres from the north boundary (Figure 26).

The structure at the rear of Level 1 has an east wall that is 7.3 metres high and setback 1.8 metres from the east boundary. This wall is required to be set back 2.39 metres from the east boundary (Figure 27).

Where the east wall is constructed at level 2, the height of the wall is 9.8 metres and the wall is setback 0.9 metres at the centre of the site and 2.17 metres at the northern end of the site. This 9.8 metre high wall is required to be set back 4.89 metres from the east boundary.

The objective of Clause 55.04-1 seeks:

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 variation of the east side and rear setbacks are acceptable in this instance for the following reasons:

- The building on the east adjoining site is constructed to the shared boundary with no windows; ensuring visual bulk is not a concern.
- The proposal does not introduce additional overshadowing to the north or east adjoining property's secluded private open space.
- Nicholls Lane provides adequate separation of 6.4 metres between the proposed north wall at Level 2 and the south wall of the properties to the north across Nicholls Lane; ensuring visual bulk is mitigated.
- There is a theme of non-compliant setbacks evident with the existing built form character of the adjoining properties.

The objective of Clause 55.04-1 is met.

Figure 26 – Rear elevation showing east side setback requirement (red) (Note: structures constructed to the boundary are not part of the setback assessment)

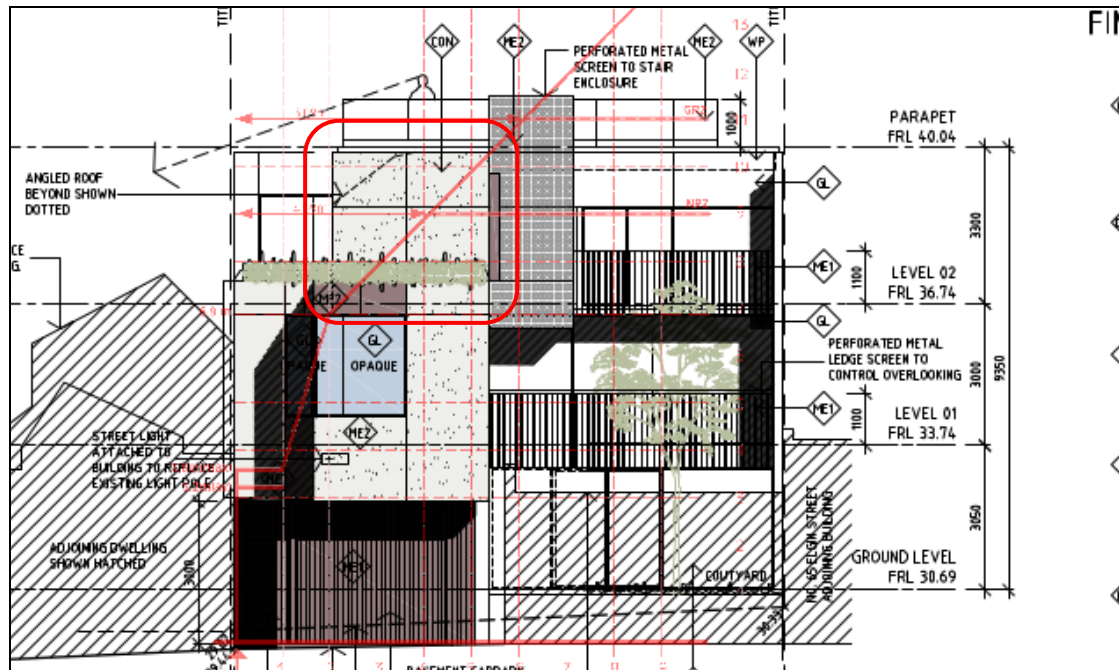
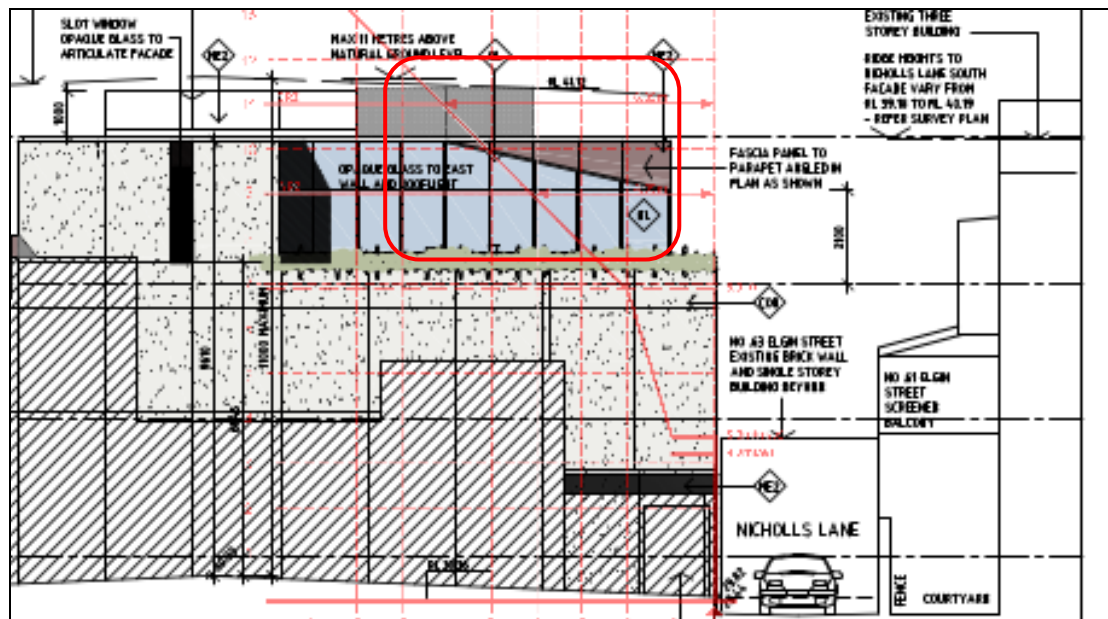


Figure 27 – East elevation showing rear setback requirement (red) (Note: structures constructed to the boundary are not part of the setback assessment)



Walls on Boundaries – Clause 55.04-2

The west boundary of the Site measures 22.6 metres which allows a total length of wall on that boundary of 13.15 metres.

The proposal will be constructed along the western boundary for a maximum length of approximately 22.37 metres and a maximum height of 10 metres. This wall requires a variation for the length and height.

The east boundary of the Site measures 26.5 metres which allows for a total length of wall on wall on that boundary of 14.125 metres.

The proposal will be constructed along the eastern boundary for a maximum length of approximately 25.1 metres and a maximum height of 7 metres. This wall requires a variation for the length and height.

The Site's north boundary measures 5.5 metres which allows for a wall length of the entirety of the north boundary.

The proposal will be constructed along the northern boundary for a maximum length of approximately 3.8 metres and a maximum height of 7 metres. This wall complies with the length requirement but not the height requirement.

The objective of Clause 55.04-2 seeks:

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.

The proposed variations of Standard B18 are acceptable for the following reasons:

- The west wall abuts a car park and a commercial building to the west at 65 Elgin Street, the non-compliance with Standard B18 will not result in any adverse amenity impacts on 65 Elgin Street. From a character perspective, the proposal will not be overwhelming when viewed from the west as it is setback from the MacArthur Place North frontage.
- The east wall abuts the existing wall at No. 4 MacArthur Place North and will not result in unacceptable amenity impacts. The height and length of the eastern boundary wall is not uncommon in this area and is acceptable from a character perspective.
- The north wall adjoins Nicholls Lane and will not result in unacceptable amenity impacts. The height of the wall will not introduce unacceptable bulk as it contains details and articulation and will not introduce overshadowing to the north adjoining properties.
- The existing neighbourhood character contains a number of walls constructed on boundaries that exceed the standard.
- The proposed walls on boundaries will not unreasonably impact on any habitable windows or introduce any unreasonable bulk to the adjoining sites that also contain structures on the boundaries.

The proposal complies with the objective of Clause 55.04-2.

Overshadowing Open Space – Clause 55.04-5

The submitted shadow diagrams demonstrate that the proposal would not result in additional overshadowing to the secluded private open space of any adjoining dwelling at the control times.

The objective of Clause 55.04-5 seeks:

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

The proposal complies with the objective and standard of Clause 55.04-5 as it does not significantly overshadow the existing secluded private open space of the adjoining properties.

Overlooking – Clause 55.04-6

The proposal contains a north facing window at Level 1, north and east facing windows at Level 2 and a roof terrace where overlooking is possible from. The north

facing balconies at Level 1 and 2 are greater than 9 metres from any adjoining habitable room window or secluded private open space (Figure 28)

The proposal contains opaque glazing applied to the north and east windows at Levels 1 and 2 (Figure 29). The location of the terrace balustrade and fixed planters ensure that direct views to the east adjoining property's secluded private open space is not possible. No other point of potential overlooking is within 9 metres of an adjoining habitable room windows or secluded private open space.

The objective of Clause 55.04-6 seeks:

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

The proposed design response and screening measures comply with the objective and standard of Clause 55.04-6.

Figure 28 – Proposed section showing distance greater than 9 metres from overlooking source to nearest habitable room window or secluded private open space

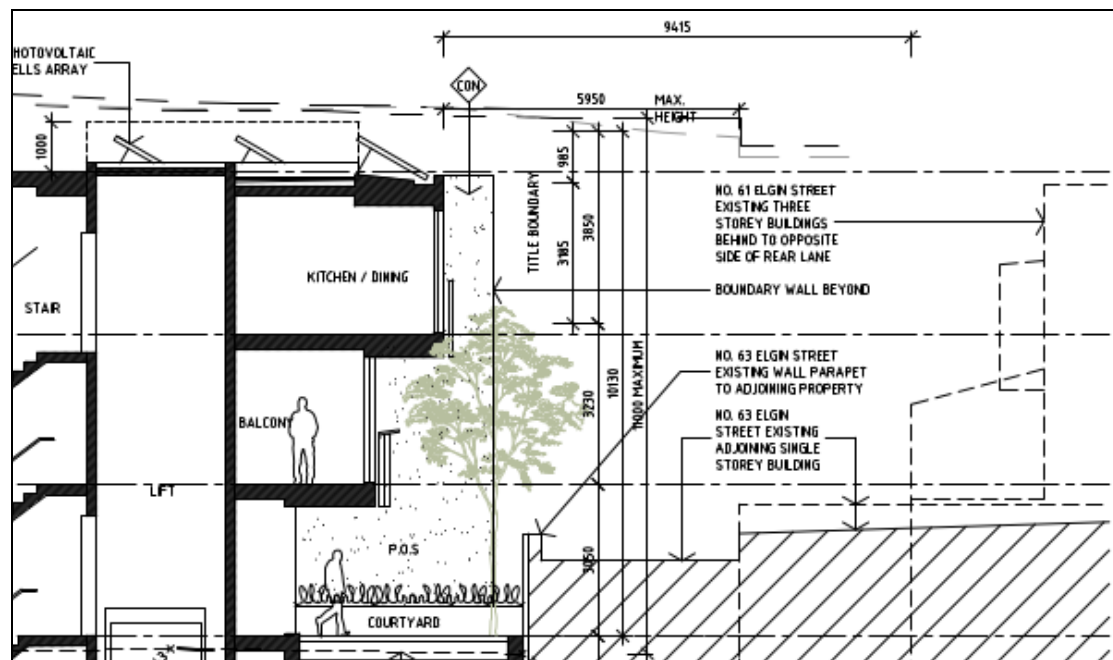
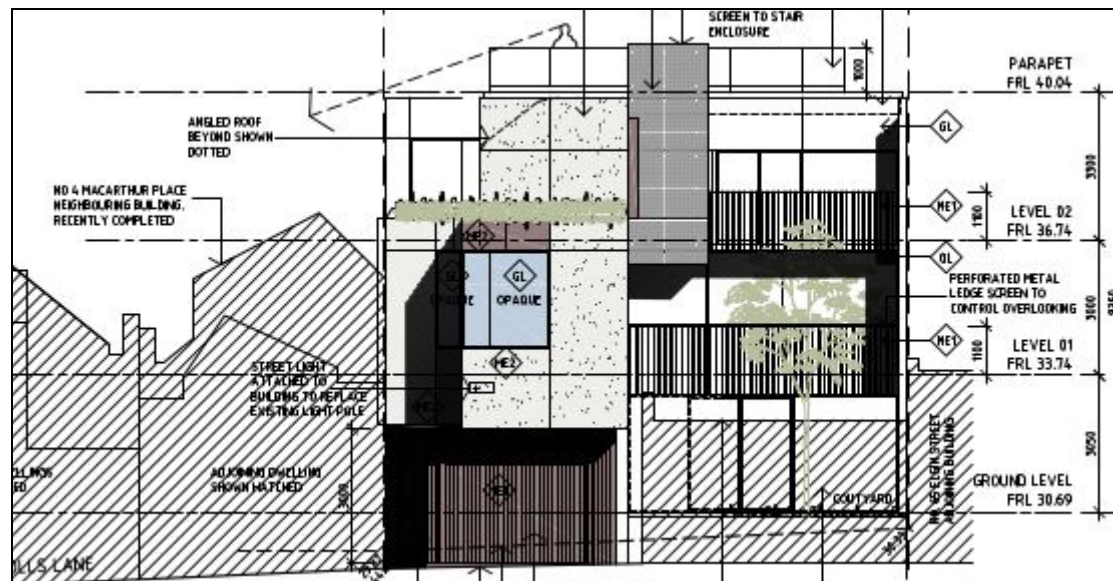


Figure 29 – Proposed rear opaque glazing



Daylight to Windows - Clause 55.05-3

All the proposed windows comply with Standard B27.

The objective of Clause 55.05-3 seeks:

To allow adequate daylight into new habitable room windows.

While the windows comply, concerns relating to internal solar access have been raised. This applies to the ground level rooms where the upper level balconies cantilever over that dwelling's private open space of the ground level dwelling.

The ground level windows to the kitchen and living area are adjacent to the rear cantilevered section of the building. The cantilevered design could be assessed as a verandah / balcony above. The area below the cantilever has a perimeter of 19 metres with the open side measuring 6.6 metres. This equates to 35 per cent of the perimeter being open (greater than one third) which complies with Standard B27.

Additionally, the ground and first floors contain a light court at the east boundary which introduces additional access to daylight.

12.4 Responding to VCAT's decision for TP-2018-59

The proposal responds to the Victorian Civil and Administrative Tribunal's (VCAT) reasons for refusing TP-2018-59. Each of the items raised by VCAT have been addressed by the application and assessed below:

Lack of demolition plans

The proposal contains demolition plans that enable an appropriate assessment of the application. The appropriateness of the proposed demolition is addressed above.

All six chimneys should be retained

The proposal seeks to retain all six chimneys. This is supported.

The lift is dominant and tall

The proposal has relocated the lift so that it is not visible from the street and introduced a consistent upper setback from the street, removing the dominance of the previous design of the lift.

The lack of articulation to the three storey west side wall detracts from the heritage value of the Site / precinct

The images below show the progression of the west elevation from the original submission for TP-2018-59, to the elevation prepared for that application's VCAT hearing, to what is proposed under this application (Figures 30, 31, and 32). The proposed west elevation successfully avoids mass and bulk through ensuring blank walls are minimised. This is achieved by:

- The introduction of a range of concrete, metal cladding, and perforated metal screening materials.
- Providing rebates at the wall where the lift and upper level balcony is positioned to give vertical separation.

The measures introduced are considered to be reasonably given that the west adjoining vacant site may be developed in the future, which would result in the wall not being visible.

Figure 30 – West elevation submitted for TP-2018-59

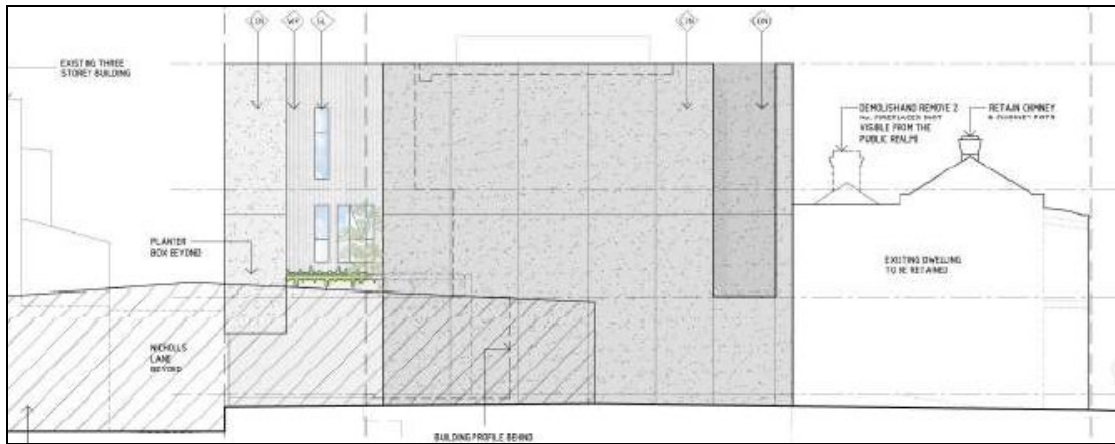


Figure 31 – West elevation prepared and submitted for VCAT

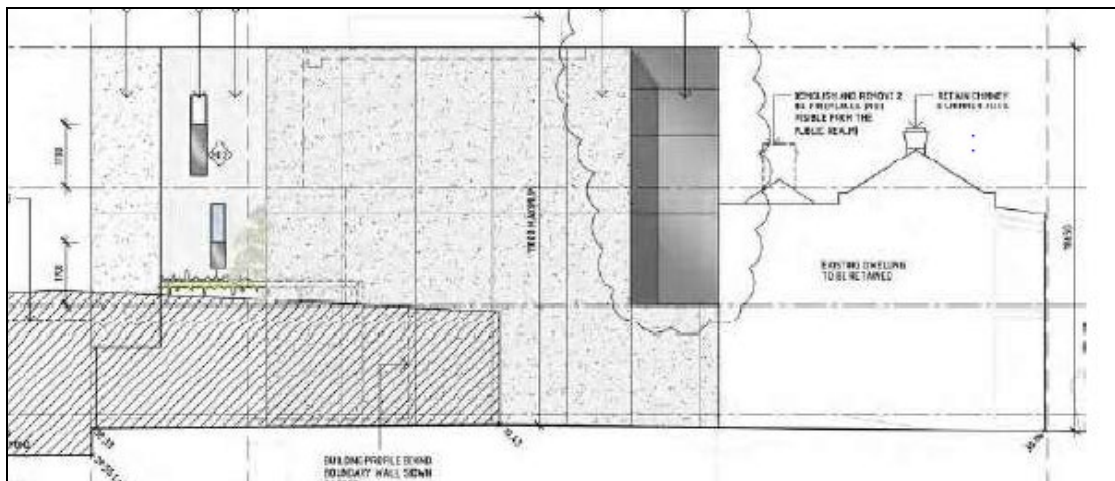
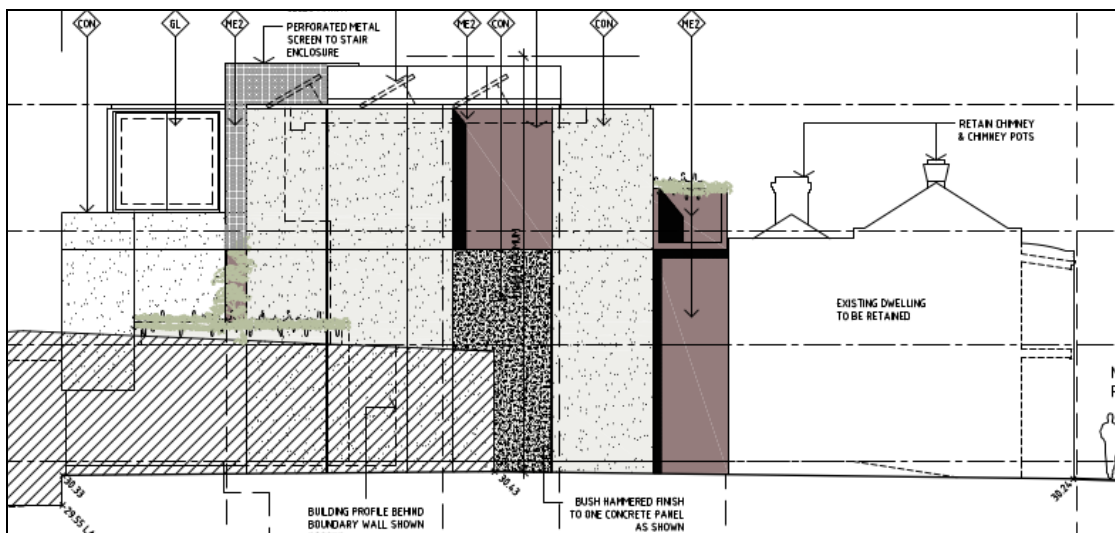


Figure 32 – Proposed west elevation



The proposal fails to respond appropriately to the neighbourhood character

In determining to refuse application TP-2018-59, the VCAT member noted the overall height, setback, and lack of articulation as being out of the neighbourhood character of the immediate surrounds.

The design of the proposal has addressed these issues through:

- Lowering the parapet height of the proposed addition.
- Moving the lift at the south-west corner of the addition which increases the setback from 9 metres to 11 metres.
- Introducing a meaningful setback to the north-east and south-east corners of the addition to reduce visibility from MacArthur Place North and Canning Street.
- Applying more visual interest to the east and west elevations of the rear addition.

The presentation of the proposed addition appropriately responds to the existing and emerging character by successfully reducing the structure's visual impact on the streetscape.

Bulk and overshadowing to 2 and 4 MacArthur Place North

Bulk and overshadowing have been addressed through lowering the height of the building, introducing setbacks at the east boundary, and inserting more detail and variation in the materials to mitigate against bulk and overshadowing. These measures appropriately respond to the issues identified.

The provision of private open space at ground and first floor apartments is unacceptable.

The application has been assessed against Clause 55 (ResCode) and found to comply with the relevant objectives and standards.

Each of the proposed dwellings provides the required amount of private open space.

The provision of six car parking spaces is not an acceptable response to Parking Overlay, Schedule 12 which has a maximum car parking rate of one space per dwelling

This application seeks to provide three car parking spaces, one for each dwelling. This is in accordance with the maximum rate of car parking provision stipulated in the Parking Overlay, Schedule 12.

Given that no permit is required to provide three spaces, the proposed rate of car parking is satisfactory and supported.

12.5 Traffic

The proposal seeks to insert three car parking spaces, one to each dwelling, and use Nicholls Lane for rear access to the Site. The traffic related elements of the proposal are acceptable for the following reasons:

- The proposal does not exceed the maximum car parking rate of one space per dwelling and does not require a permit under the Parking Overlay, Schedule 12.
- Nicholls Lane is a laneway, which means it is a road and is therefore legally available to provide vehicle access to those properties that have the benefit of a frontage to it.

- Nicholls Lane is relatively short and narrow, and it is not likely that car users will be driving at high speeds when using the lane. Any potential unsafe conflict is likely to be avoidable due to the constraints of the lane resulting in slow moving traffic.
- The City of Melbourne’s Traffic Engineers have confirmed they do not have concerns with the proposed use of the lane or car parking provision.
- The lane and design of the access point can accommodate standard car access. This is demonstrated below with a diagram showing the 85th and 99.8th percentile of size for all cars sold in Australian (Figure 33 and 34). These diagrams show 85th percentile vehicles being able to manoeuvre into the rear access point comfortably, while 99th percentile vehicles may require one or two corrections. As confirmed by the City of Melbourne’s Traffic Engineers, this is acceptable.

Figure 33 – 85th percentile turning circle

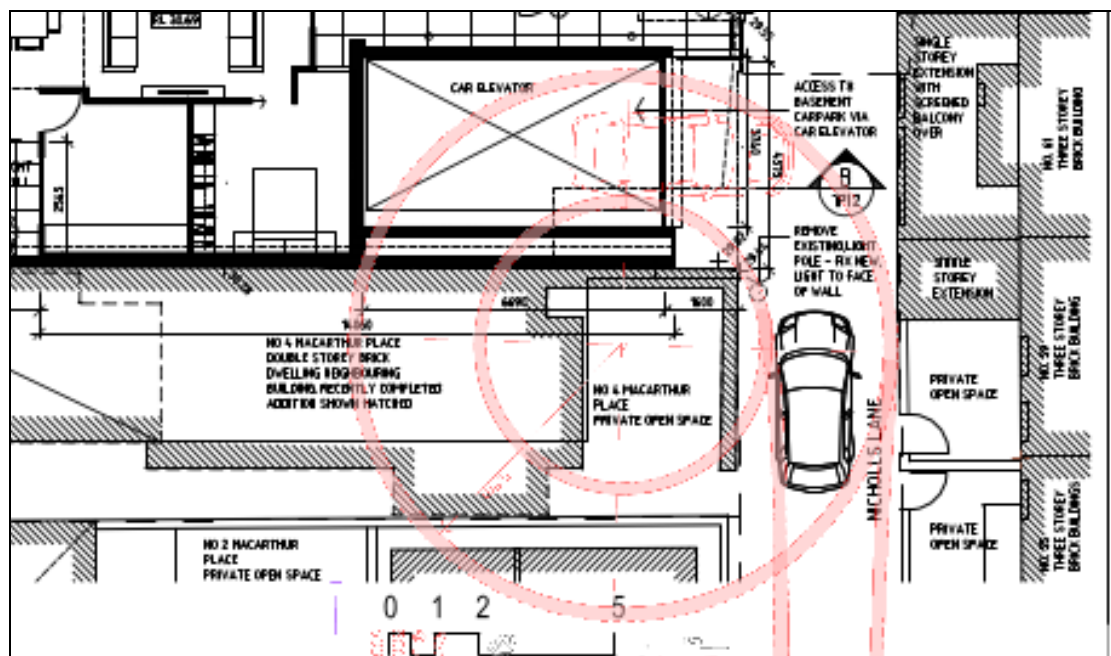
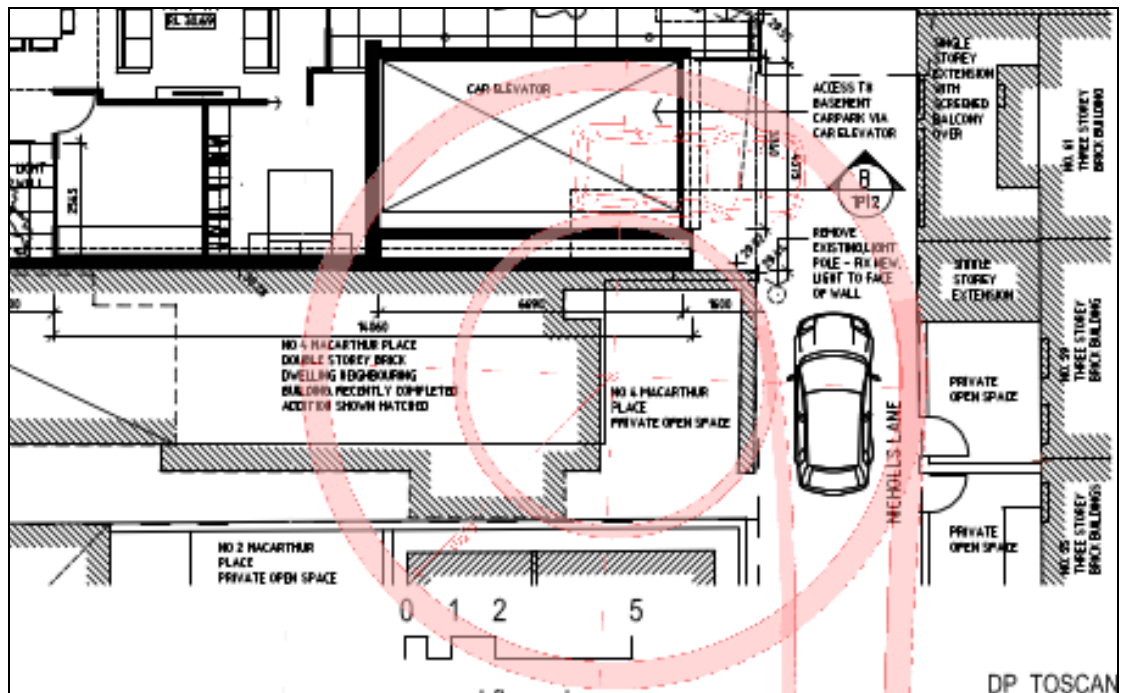


Figure 34 – 99th percentile turning circle

12.6 Objections

The following matters raised by objectors have not been raised in the above assessment. They are individually addressed below:

Underground parking will change the landscape of the street

Underground parking is not likely to impact the street or landscape. If a permit is granted, the relevant building surveyor will need to be satisfied that the works will not impact on the safety of the Site and surrounds.

Traffic causing damage to the adjoining properties and bluestone lane

Bluestone is durable material and is not likely to be significantly impacted by local traffic.

Projecting letter boxes, waste storage hinder use of the rear lane

Nicholls Lane is a public highway, and the adjoining properties have a right to use it. Any projection into the lane is to comply with the City of Melbourne's Road Encroachment Operational Guidelines. The storage of rubbish bins in public lanes is discouraged by the City of Melbourne's Waste Guidelines. Any bin in the lane should be relocated onto the property it relates to.

Vehicle traffic will reduce the area's property value, downgrading rental income

Each of the proposed dwellings is entitled to one car parking space. It is not likely that three additional cars will significantly reduce property value in Carlton.

Proposal doesn't align with the Councils Transport Strategy 2030

The parking requirements relevant to a planning permit application are subject to state-wide policies. The City of Melbourne is actively employing strategic policy to reduce car reliance and increase sustainable transport. The proposed car parking rate aligns with the Parking Overlay which limits car parking. The provided car parking spaces are acceptable.

Potential noise complaints from new residents about existing laundromat

Noise emitted from the existing laundromat is subject to the Environmental Protection Authority regulations and requirements and is unrelated to this application.

Noise from the terrace

Noise from a single dwelling's terrace is not likely to be unreasonable. Like with any residential property, the Victoria Police should be contacted where there is an instance of unreasonable noise.

Historical artefacts within the soil will be lost if the land is disturbed

The Site is not listed in the Victorian Heritage Inventory which provides for underground artefacts.

The roof garden infers 4 storeys

Clause 73.01 defines a storey as:

“That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.”

In this instance the roof terrace does not have a ceiling and is not defined as a level.

DDA compliance relating to accessing the lane

The proposal provides for suitable access to the Site, levels, and rooms within the proposed dwellings.

Loss of views

Views do not form part of the decision guidelines under the clauses that require a planning permit.

Swing of the door at 59 Elgin Street is incorrect on the plans

The door at 59 Elgin Street is shown to swing inwards rather than outwards which is claimed to be an error. This may have occurred as the architect may be aware that the City of Melbourne does not support doors swinging out over public laneways or roads.

The door of 59 Elgin Street should not swing into the land as this projection is not supported by the City of Melbourne's Road Encroachment Operational Guidelines. These projections are not supported as they introduce an obstruction to the use and function of Nicholls Lane.

Given this door should not swing out into Nicholls Lane; it has not been afforded weight in the assessment of the appropriateness of using Nicholls Lane for vehicle access.

Door to 61A Elgin not shown on the plans

The lack of this door is likely an error and it is acknowledged that it exists. Regardless, the presence of this door would not sway the assessment of the appropriateness of the use of Nicholls Lane for car access.

Damage to property, noise and air pollution during construction

If a permit is granted, it is recommended that a construction management plan be included as a condition to ensure the construction phase of the development does not unreasonably disturb existing residents.

Excess of housing in Carlton / the development will set a precedent for new apartments

The proposal does not increase the number of dwellings on the Site. Regardless, the City of Melbourne vision relating to housing seeks to provide for new housing while preserving valued characteristics of existing neighbourhoods. Specifically, Clause 21.06 provides for increased housing with that is determined by the built form controls that apply. The proposal, as assessed above, satisfies the relevant policies.

3D views not provided

3D views were included in the advertised application material.

Claims that the developer’s integrity of information is lacking

The application has been submitted with a suite of documentation that satisfied the application requirements relevant to the permit requirements that apply.

Impacts to solar panels approved under planning permit TP-2015-1031

It has been confirmed there are existing solar panels at 4 MacArthur Place North, Carlton which are approved by planning permit TP-2015-1031 (Figure 35).

The applicant responded to this objection on 19 February 2021. The commented:

“According to the aerial image, it seems the solar panels at 4 MacArthur Place North are located on the high roof extension (“Master Bedroom” pop-up), on the east face from the roof ridge. This means that the solar panels, if laid on the roof plane, face away from the proposed additions. It is not evident from the aerial image if the panels are laid on an angle with the roof pitch, or if flat.

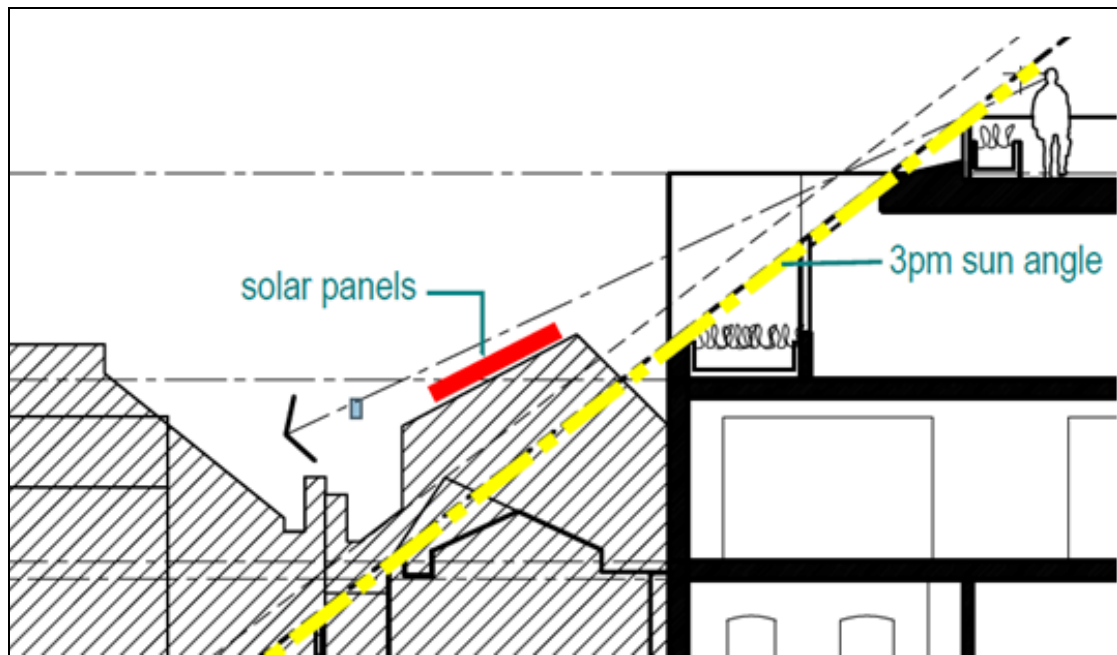
Either way there will be no overshadowing up to 3pm of the equinox dates, some shadowing perhaps from 4pm onwards but by then the panels are facing away from (or if the panels are flat, oblique to), the north-western sun.”

The applicant provided the following section showing the 3pm equinox Sun angle (Figure 36). The section drawing showing the sun’s angle at 3pm demonstrates the structure would not cast a shadow on the solar panels that are located on the east slope of the building. The panels would receive reasonable solar access throughout the hours of the day that overshadowing is assessed under (9am to 3pm).

Figure 35 – Aerial image of 2-10 MacArthur Place North, Carlton



Figure 36 – Section drawing showing 3pm solar impact to adjoining solar panels



The tenant at the Site does not want to move out

This is not a planning matter.

Application cost seems incorrect. MPL should be required as the cost is likely greater

The applicant responded to this objection on 19 February 2021. The commented:

“The current scheme will be of a lesser building scope than the previous 2019 VCAT submission as the design now includes only one basement level, whereas the earlier application was two full levels of basement. Furthermore, the total building area is now less than the 2019 scheme.”

Neither VCAT nor the assessing planning officer from the City of Melbourne raised issue with the development cost of the previous application (TP-2018-59) which had an estimated development cost of \$985,000.

It is accepted the reduced extent of excavation and reduce basement levels would result in a significant cost reduction.

The landscaping does not seem realistic

Clause 55.07-4 provides for landscaping, deep soil areas and canopy tree objectives relating to an apartment development with site areas above 750 square metres. In this instance, these requirements do not apply as the Site is less than 750 square metres. Clause 55.07-4 does state that landscaping should be responsive to the site context.

The proposed limited landscaping is considered acceptable as the immediate surrounding character is not one that contains abundant on-site landscaping.

12.7 Environmentally Sustainable Design

Clause 22.19 (Energy, Water and Waste Efficiency) requires applications for dwellings up to 5,000m² to achieve a 1 point for Wat-1 credit under a current version of the Green Building Council of Australia’s Green Star – Multi Unit Residential rating tool or equivalent and provide a waste management plan.

As the proposal is for three dwellings, it is considered that the energy efficiency requirements of the *National Construction Code* sufficiently address this Policy.

12.8 Stormwater Management

Policy at Clause 22.23 (Stormwater Management (Water Sensitive Urban Design)) encourages the use of water sensitive urban design to minimise the detrimental effect of development on downstream waterways and peak stormwater flows.

The proposal contains a 2,400 litre rainwater tank which result in a STORM rating of 100 per cent. These measures satisfy the STORM requirements and therefore satisfy Clause 22.23.

13 RECOMMENDATION

It is considered that the proposal is consistent with the relevant policies and clauses of the Melbourne Planning Scheme, as discussed above, and that Melbourne City Council form a position of support subject to conditions. This position should be taken to VCAT for the appeal lodged under P22/2021.

14 WHAT WILL THE PERMIT ALLOW

The description of what the permit allows should read:

Partial demolition, external alterations, and buildings and works to construct three dwellings on a lot in accordance with the endorsed plans.

15 CONDITIONS

1. Prior to the commencement of the development, an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority, generally in accordance with the plans prepared by DP Toscano Architects Pty Ltd dated 30 April 2020 but amended to show:
 - a. Front building existing roof forms to be accurately shown and retained.
 - b. Galvanized corrugated roofing where the roof sheets are to be replaced.
 - c. A half round or quad gutter profile for eaves gutters.
 - d. An annotation stating - "Retain of the existing roof slopes and gutters, and the associated roof structure in situ.
 - e. The setback of Level 02 at least 300mm from the existing north elevation.
 - f. Retention of the existing parapet termination on the east and west elevations.
 - g. Retention of the north facing Level 1 window at 6 MacArthur Places North.
 - h. Retention of at least at least 250mm of brickwork above the opening of the north facing Level 1 window at 6 MacArthur Place North.
 - i. Retention of original windows, door and door frames at the south elevation, except for the door at number 10 MacArthur Place North, and note inward opening front doors to the Ground and First Floor verandahs.
 - j. Deletion of the proposed openings to the verandah party walls at the ground level.
 - k. The face brick wall surfaces and bluestone trims where present.

- l. All rendered surfaces.
- m. The details for the verandah terrace paving materials.
- n. Deletion of the reference to “heritage works specification” and nominate the materials and works proposed on the elevations including nominating galvanized roofing.
- o. Deletion of the wall mounted streetlight at Nicholls Lane.

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

Secondary Consent

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

Structural Engineers Report

- 3. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to and approved by the Responsible Authority. The report must demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to Melbourne City Council and be to the satisfaction of the Responsible Authority.

Waste Management Plan

- 4. Prior to the commencement of the development, an amended Waste Management Plan (WMP) must be submitted to and approved by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Onemilegrid, dated 20 July 2020, but amended to include:
 - a. Internal travels paths for bins to be wheeled from the basement, up the elevator, and through the lobby to the MacArthur Place North frontage.

The amended WMP must not be altered without prior consent of the Melbourne City Council – Waste and Recycling.

Construction Management Plan

- 5. Prior to the commencement of the development, excluding demolition and including bulk excavation, a detailed construction management plan must be submitted to and be approved by the Melbourne City Council – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council – 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.

- f) traffic management.

Civil Engineering

6. The title boundaries for the property may not exactly agree with the road alignments of the abutting the City of Melbourne's laneway. The approved works must not result in structures that encroach onto the City of Melbourne's laneway.
7. Prior to the commencement of the development, a stormwater drainage system incorporating integrated water management design principles must be submitted to, and approved, by the Responsible Authority – Infrastructure and Assets. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's stormwater drainage system.
8. Prior to the commencement of the use/occupation of the development, the street lighting pole in Nicholls Lane must be relocated to the satisfaction of the Responsible Authority. All new or altered portions of road in Nicholls Lane must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
9. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
10. The footpath adjoining the site along MacArthur Place North must be reconstructed together with associated works including the reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
11. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Infrastructure and Assets.
12. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.

Expiry

13. This permit will expire if one or more of the following circumstances apply:
 - a) The development is not started within three years of the date of this permit.
 - b) The development is not completed within five years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

PERMIT NOTES

All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the Responsible Authority – Infrastructure and Assets.

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

Clause 55 Assessment

Application type	Applicable clauses
To construct or extend an apartment development, or	All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.
To construct or extend a dwelling in or forming part of an apartment development.	

CLAUSE 55 – TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character

To encourage residential development that provides reasonable standards of amenity for existing and new residents

To encourage residential development that is responsive to the site and the neighbourhood

Requirement:

A development:

- **Must meet all of the Objectives of this clause that apply to the application**
- **Should meet all of the Standards of this Clause that apply to the application**

16	<u>55.02 – NEIGHBOURHOOD CHARACTER & INFRASTRUCTURE</u>
16.1	55.02-1 – NEIGHBOURHOOD CHARACTER OBJECTIVE
	<i>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</i>
	<i>To ensure that development responds to the features of the site and the surrounding area</i>
Standard B1	The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal seeks to extend three dwellings on a lot. The design of the extension is considered to align with the setback and concealment requirements of Clause 22.05 and respectful to the existing heritage streetscape and character. The height and scale of the proposal aligns with the exiting built environment character with the immediate surrounds.</p> <p>The proposal acknowledges the existing features of the site and been designed around the existing structures and private open space.</p>
16.2	55.02-2 – RESIDENTIAL POLICY OBJECTIVE
	<i>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.</i>
	<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i>

Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The written submission for the proposal addresses the relevant sections of the Melbourne Planning Scheme, satisfying Standard B2.</p>
16.3 55.02-3 – DWELLING DIVERSITY OBJECTIVE	
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i>	
Standard B3	<p>Developments of 10 or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p style="text-align: center;">Standard not applicable: <input checked="" type="checkbox"/></p>
16.4 55.02-4 – INFRASTRUCTURE OBJECTIVE	
<i>To ensure development is provided with appropriate utility services and infrastructure.</i>	
<i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>	
Standard B4	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>All of the relevant services are available to the site.</p>
16.5 55.02-5 – INTEGRATION WITH THE STREET OBJECTIVE	
<i>To integrate the layout of development with the street.</i>	
Standard B5	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be orientated to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>

Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>		
	<ul style="list-style-type: none"> • The proposed development introduces additional access via the rear of the site. • The orientation of the development fronts MacArthur Place North (primary frontage) • The application does not include any new high fences that would detract from the streetscape. • The development does not overshadow any existing public open space. 		
17	<u>55.03 – SITE LAYOUT AND BUILDING MASSING</u>		
17.1	<p>55.03-1 – STREET SETBACK OBJECTIVE</p> <p><i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i></p>		
Standard B6	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or • If no distance is specified in a schedule to the zone, the distance specified in Table B1. <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>		
	Table B1 Street setback		
	Development context	Minimum setback from front street (metres)	Minimum setback from side street (metres)
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	<p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	<p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>	

Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The site is located on a site where there is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</p> <p>The proposal does not seek to alter the front setback of the existing building on the site.</p>
<p>17.2 55.03-2 – BUILDING HEIGHT OBJECTIVE</p> <p><i>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</i></p>	
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposed building does not exceed the height of the 11 metre height control specified in Schedule 1 to Clause 32.08 (GRZ1).</p> <p>The height of the proposed three storey rear structure respects the existing neighbourhood character which contains two and three storey buildings.</p> <p>The higher sections of the proposal respond well to the existing heritage building on the site by being setback behind the front part of the building.</p> <p>The height of the proposed structure transitions appropriately from the two storey building on the site towards the three storey buildings to the north.</p>
<p>17.3 55.03-3 – SITE COVERAGE OBJECTIVE</p> <p><i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i></p>	
Standard B8	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> • The maximum site coverage specified in a schedule to the zone, or • If no maximum site coverage is specified in a schedule to the zone, 60 per cent.
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal has a total site coverage of 85 per cent which is greater than the existing the 60 per cent requirement of Standard B8. The variation of the standard is acceptable in this instance as the proposal responds to the existing neighbourhood character which contains many sites with high coverage.</p>
<p>17.4 55.03-4 – PERMEABILITY OBJECTIVE</p> <p><i>To reduce the impact of increased stormwater run-off on the drainage system.</i></p> <p><i>To facilitate on-site stormwater infiltration.</i></p>	
Standard B9	<p>The site area covered by pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum area specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site.

Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal contains permeability of 15 per cent which is less than the 20 per cent permeable land requirement. The variation is acceptable in this instance given the proposal contains 2,400 litre rain water tanks. This will effectively reduce the site's impact on the existing stormwater drainage system. The proposed variation is mitigated by the rainwater tank which provides the site a STORM rating of 100 per cent.</p>
<p>17.5 55.03-7 – SAFETY OBJECTIVE</p> <p><i>To ensure the layout of development provides for the safety and security of residents and property.</i></p>	
Standard B12	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal's dwelling entries are clear, safe, and legible.</p> <p>The demarcation of private areas is achieved by the proposed front fences / gates.</p>
<p>17.6 55.03-8 – LANDSCAPING OBJECTIVE</p> <p><i>To encourage development that respects the landscape character of the neighbourhood.</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i></p> <p><i>To provide appropriate landscaping.</i></p> <p><i>To encourage the retention of mature vegetation on the site.</i></p>	
Standard B13	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>There are no readily visible or prominent landscaping features found on the site.</p> <p>The proposal contains limited landscaping responding to the existing conditions.</p> <p>The proposal contains a rear tree to provide for landscaping to be used by local fauna and enjoyed by the proposed dwelling's occupants.</p>

17.7 55.03-9 – ACCESS OBJECTIVE	
<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</i>	
Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • If the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal seeks to make use of an existing rear lane for access.</p>
17.8 55.03-10 – PARKING LOCATION OBJECTIVE	
<i>To provide convenient parking for resident and visitor vehicles.</i>	
<i>To protect residents from vehicular noise within developments.</i>	
Standard B1	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal contains secure car parking in the proposed basement which is conveniently accessed from the rear via Nicholls Lane.</p> <p>The proposed access point is more than 1.5 metres from a habitable room window.</p>
18 55.04 – AMENITY IMPACTS	
18.1 55.04-1 – SIDE AND REAR SETBACKS OBJECTIVE	
<i>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.</i>	
Standard B17	<p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or • If no distance is specified in a schedule to the zone, 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. <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p> <p>Refer to ‘Diagram B1 Side and rear setbacks’</p>

Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal predominately contains buildings constructed on the boundaries and is assessed under Standard B18.</p> <p>The second level of the proposal is setback from the east boundary and is subject to Standard B17.</p> <p>The rear structure at Level 1 has an east wall that is 7.3 metres high and setback 1.8 metres from the east boundary. This wall is required to be setback 2.39 metres from the east boundary.</p> <p>Where the east wall is constructed at level 2, the height of the wall is 9.8 metres and this wall is setback 0.9 metres at the centre of the site and 2.17 metres at the northern end of the site. This 9.8 metre high wall is required to be setback 4.89 metres from the east boundary.</p> <p>The rear (north) wall at Level 2 is 10.1 metres above the ground and is setback 1.2 metres from the north boundary. This wall is required to be setback 5.79 metres from the north boundary.</p> <p>The variation of the east side and rear setbacks are acceptable in this instance for the following reasons:</p> <ul style="list-style-type: none"> ▪ The building on the east adjoining site is constructed to the shared boundary with no windows; ensuring visual bulk is not a concern. ▪ The proposal does not introduce additional overshadowing to the north or east adjoining property's secluded private open space. ▪ Nicholls Lane provides adequate separation of 6.4 metres between the proposed north wall at Level 2 and the south wall of the properties to the north across Nicholls Lane; ensuring visual bulk is mitigated. ▪ There is a theme of non-compliant setbacks evident with the existing built form character of the adjoining properties. <p>There is a theme of non-compliant setbacks evident with the existing built form character of the adjoining properties.</p>
<p>18.2 55.04-2 – WALLS ON BOUNDARIES OBJECTIVE</p> <p><i>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.</i></p>	
Standard B18	<p>A new wall constructed on or within 200mm 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:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in a schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> • 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. <p style="padding-left: 40px;">whichever is the greater</p> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm 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 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>

	<p>The Site has a lot depth of 26.5 metres which allows for a total length of wall on the east and west boundaries of 14.125 metres. The Site's north boundary measures 5.5 metres which allows for a wall along the entirety of that boundary.</p> <p>The proposal</p> <p>The proposal will be constructed along the western boundary for a maximum length of approximately 22.37 metres and a maximum height of 10 metres. This wall requires a variation for the length and height.</p> <p>The proposal will be constructed along the eastern boundary for a maximum length of approximately 25.1 metres and a maximum height of 7 metres. This wall requires a variation for the length and height.</p> <p>The proposal will be constructed along the northern boundary for a maximum length of approximately 3.8 metres and a maximum height of 7 metres. This wall complies with the length requirement but not the height requirement.</p> <p>The proposed variations of Standard B18 are acceptable for the following reasons:</p> <ul style="list-style-type: none"> - The west wall abuts a car park and a commercial building to the west at 65 Elgin Street, the non-compliance with Standard B18 will not result in any adverse amenity impacts on 65 Elgin Street. From a character perspective, the proposal will not be overwhelming when viewed from the west as it is setback from the MacArthur Place north frontage. - The east wall abuts the existing wall at No. 4 MacArthur Place North and will not result in unacceptable amenity impacts. The height and length of the eastern boundary wall is not uncommon in this area and is acceptable from a character perspective. - The north wall adjoins Nicholls Lane and will not result in unacceptable amenity impacts. The height of the wall will not introduce unacceptable bulk and will not introduce unreasonably amenity impacts to the north adjoining properties. <p>The existing neighbourhood character contains a number of walls constructed on boundaries.</p>
<p>18.3 55.04-3 – DAYLIGHT TO EXISTING WINDOWS OBJECTIVE <i>To allow adequate daylight into existing habitable room windows.</i></p>	
<p>Standard B19</p>	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p> <p>Refer to ‘Diagram B2 Daylight to existing windows’</p>
<p>Assessment</p>	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>All of the proposed buildings are designed so that existing habitable room windows have light courts in accordance with Standard B19.</p>
<p>18.4 55.04-4 – NORTH-FACING WINDOWS OBJECTIVE <i>To allow adequate solar access to existing north-facing habitable room windows.</i></p>	
<p>Standard B20</p>	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 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, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p> <p>Refer to ‘Diagram B3 North-facing windows’</p>

Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	The proposed development does not locate any building directly opposite any north-facing windows.
18.5 55.04-5 – OVERSHADOWING OPEN SPACE OBJECTIVE <i>To ensure buildings do not significantly overshadow existing secluded private open space.</i>	
Standard B21	<p>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.</p> <p>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.</p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	As demonstrated in the provided shadow diagrams, the proposal does not further reduce solar access to any adjoining dwelling's secluded private open space.
18.6 55.04-6 – OVERLOOKING OBJECTIVE <i>To limit views into existing secluded private open space and habitable room windows.</i>	
Standard B22	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metres above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p> <p>Refer to 'Diagram B4 Overlooking open space'</p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>

	<p>The proposal contains a north facing window at Level 1, north and east facing windows at Level 2 and a roof terrace where overlooking is possible from.</p> <p>The proposal contains opaque glazing applied to the north and east windows at Levels 1 and 2. The location of the terrace balustrade and fixed planters ensure that direct views to the east adjoining property's secluded private open space is not possible. No other point of potential overlooking is within 9 metres of an adjoining habitable room windows or secluded private open space.</p> <p>The proposed screening measures comply with the objective and standard of Clause 55.04-6.</p>
<p>18.7 55.04-7 – INTERNAL VIEWS OBJECTIVE <i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i></p>	
Standard B23	<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal contains individual dwellings at each level that do not allow for internal views.</p>
<p>19 55.05 – ON-SITE AMENITY AND FACILITIES</p>	
<p>19.1 55.05-3 – DAYLIGHT TO NEW WINDOWS OBJECTIVE <i>To allow adequate daylight into new habitable room windows.</i></p>	
Standard B27	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least one third of its perimeter, or • A carport provided it has two or more open sides and is open for at least one third of its perimeter.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>All the proposed windows satisfy Standard B27.</p> <p>The ground level windows to the kitchen and living area are adjacent to the rear cantilevered section of the building. This Cantilever could be assessed as a verandah / balcony above. The area below the cantilever has a perimeter of 19 metres with the open side measuring 6.6 metres. This equates to 35 per cent of the perimeter being open (greater than one third) which complies with Standard B27.</p>
<p>19.2 55.05-4 – PRIVATE OPEN SPACE OBJECTIVE <i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i></p>	

Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • 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. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposed areas of private open space for each dwelling exceed the Standard provided by Clause 55.</p>
19.3 55.05-5 – SOLAR ACCESS TO OPEN SPACE OBJECTIVE	
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i>	
Standard B29	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Refer to 'Diagram B5 Solar access to open space'</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Where possible, the proposal contains private open space at the north side of the site. Apartment 3's lack of northern private open space is justified by the existing heritage constraints of the site and mitigated by its access to the roof terrace.</p> <p>There is a 3.8 metre high wall that is to the north of the secluded private open space of the dwelling at Ground level and Level 1. Based on this wall, the south boundary of the open space at ground level is required to be 5.4 metres from the wall.</p> <p>The south boundary of the private open space is 10 metres from the north wall found at the northern adjoining site, complying with the Standard.</p>
20 55.06 – DETAILED DESIGN	
20.1 55.06-1 – DETAIL DESIGN OBJECTIVE	
<i>To encourage design detail that respects the existing or preferred neighbourhood character.</i>	
Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>Should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>

	The proposal is considered to appropriately respond to the window and façade articulation of the existing building. While the addition is clearly modern, the details and form of the rear structure have been designed to respect the character of the host building and built form in the immediate surrounds.						
20.2	55.06-2 – FRONT FENCES OBJECTIVE <i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i>						
Standard B32	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> • The maximum height specified in a schedule to the zone, or • If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. Table B3 Maximum front fence height <table border="1"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres
Street Context	Maximum front fence height						
Streets in a Road Zone, Category 1	2 metres						
Other streets	1.5 metres						
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> The proposal seeks to replace the existing horizontal boards across the front of the subject site with simple vertical metal pickets to a maximum height of 1.4 metres. This is in keeping with the heritage policies that encourage an interpretive response to the traditional iron picket fencing of the area and will present an improvement to the streetscape.						
20.3	55.06-3 – COMMON PROPERTY OBJECTIVES <i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i> <i>To avoid future management difficulties in areas of common ownership.</i>						
Standard B33	Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.						
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input type="checkbox"/> The communal areas are contained to the car lift, vehicle circulation spaces, entry/lobby area and pedestrian lift. These are not anticipated to present any management difficulties.						
20.4	55.06-4 – SITE SERVICES OBJECTIVES <i>To ensure that site services can be installed and easily maintained.</i> <i>To ensure that site facilities are accessible, adequate and attractive.</i>						
Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.						

Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>	
	Site facilities for the proposal are adequate and accessible. Letterboxes are suitably sized and have been incorporated into the proposed front fence. Service meters (gas and water etc) are currently located under the front verandah. It is anticipated these services can similarly be located under the verandah near the entry to the building.	
21	<u>55.07 – APARTMENT DEVELOPMENTS</u>	
21.1 55.07-1 – ENERGY EFFICIENCY OBJECTIVES <i>To achieve and protect energy efficient dwellings and buildings.</i> <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i> <i>To ensure dwellings achieve adequate thermal efficiency.</i>		
Standard B35	Buildings should be: <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is optimised. Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table. Table B4 Cooling load	
	NatHERS climate zone	NatHERS maximum cooling load
		MJ/M² per annum
	Climate zone 21 Melbourne	30
	Note: <i>Refer to NatHERS zone map. Nationwide Housing Energy Rating Scheme (Commonwealth Department of Environment and Energy).</i>	
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>	
	The proposed dwelling orientation is guided by the existing heritage building. The location of private open space is appropriately located at the northern side of the site.	
21.2 55.07-2 – COMMUNAL OPEN SPACE OBJECTIVE <i>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</i>		
Standard B36	Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is the lesser. Communal open space should: <ul style="list-style-type: none"> Be located to: <ul style="list-style-type: none"> Provide passive surveillance opportunities, where appropriate. Provide outlook for as many dwellings as practicable. Avoid overlooking into habitable rooms and private open space of new dwellings. Minimise noise impacts to new and existing dwellings. Be designed to protect any natural features on the site. Maximise landscaping opportunities. Be accessible, useable and capable of efficient management. 	

Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input checked="" type="checkbox"/>		
	The proposed development does not contain 40 or more dwellings.		
21.3 55.07-3 – SOLAR ACCESS TO COMMUNAL OPEN SPACE OBJECTIVE <i>To allow solar access into communal outdoor open space.</i>			
Standard B37	The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.		
Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input checked="" type="checkbox"/>		
	The proposal does not contain communal open space.		
21.4 55.07-4 – DEEP SOIL AREAS AND CANOPY TREES OBJECTIVE <i>To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.</i>			
Standard B38	The landscape layout and design should: <ul style="list-style-type: none"> • Be responsive to the site context. • Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration. • Maximise deep soil areas for planting of canopy trees. • Integrate planting and water management. Developments should provide the deep soil areas and canopy trees specified in Table B5. If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either: <ul style="list-style-type: none"> • Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. • Vegetated planters, green roofs or green facades. Table B5 Deep soil areas and canopy trees		
	Site area	Deep soil areas	
	Minimum tree provision		
	750 – 1000 Square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
	1001 – 1500 Square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil Or 1 large tree per 90 square metres of deep soil
	1501 – 2500 Square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil Or 2 medium trees per 90 square metres of deep soil

	>2500 Square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil Or 2 medium trees per 90 square metres of deep soil
	Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.		
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input type="checkbox"/>		
	Deep soil areas are not required as the site has an area less than 750 square metres. Regardless, the proposal contains a rear tree at the rear as well as planters at the roof terrace.		
21.5 55.07-5 – INTEGRATED WATER AND STORMWATER MANAGEMENT OBJECTIVES <i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i> <i>To facilitate stormwater collection, utilisation and infiltration within the development.</i> <i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i>			
Standard B39	Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: <ul style="list-style-type: none"> Designed to 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) as amended. Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 		
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>		
	The proposal contains a 2,400 litre rain water tank and planters that result in a STORM rating of 100 per cent. This is appropriate.		
21.6 55.07-6 – NOISE IMPACTS OBJECTIVE <i>To contain noise sources in developments that may affect existing dwellings.</i> <i>To protect residents from external and internal noise sources.</i>			

Standard B40	<p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>The layout of new dwellings and buildings should minimise noise transmission within the site.</p> <p>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</p> <p>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none"> • Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. • Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</p> <p>Table B6 Noise influence area</p>	
	Noise source	Noise influence area
	Zone interface	
	Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
	Roads	
	Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
	Railways	
	Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
	Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
	Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track
	<i>Note: the noise influence area should be measured from the closest part of the building to the noise source.</i>	
	Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
There are no significant noise sources near the site.		
21.7 55.07-7 – ACCESSIBILITY OBJECTIVE		
<i>To ensure the design of dwellings meets the needs of people with limited mobility.</i>		

Standard B41	At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> • A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. • A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. • A main bedroom with access to an adaptable bathroom. • At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7. 		
	Table B7 Bathroom design		
		Design option A	Design option B
	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
	Door design	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.
	Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> • A minimum area of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. The circulation area can include a shower area.
	Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
	Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.	
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/>		
	Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>		
The proposed dwellings comply with the requirements.			
21.8 55.07-8 – BUILDING ENTRY AND CIRCULATION OBJECTIVES <i>To provide each dwelling and building with its own sense of identity.</i> <i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i> <i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i>			

Standard B42	<p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable. • Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> • Clearly distinguish entrances to residential and non-residential areas. • Provide windows to building entrances and lift areas. • Provide visible, safe and attractive stairs from the entry level to encourage use by residents. • Provide common areas and corridors that: <ul style="list-style-type: none"> • Include at least one source of natural light and natural ventilation. • Avoid obstruction from building services. • Maintain clear sight lines. 												
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposed main entry to the building is from the southwestern corner of the subject site, with the front door located under the verandah. A shared walkway / corridor leads to the lobby, the lift and the stairwell beyond. The proposed arrangement provides an appropriate entry that is visible, safe and offers shelter.</p>												
<p>21.9 55.07-9 – PRIVATE OPEN SPACE ABOVE GROUND FLOOR OBJECTIVE</p> <p><i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i></p>													
Standard B43	<p>A dwelling should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or • A balcony with an area and dimensions specified in Table B8 and convenient access from a living room. <p>If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.</p> <p>Table B8 Balcony size</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Dwelling type</th> <th style="text-align: center;">Minimum area</th> <th style="text-align: center;">Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td style="text-align: center;">8 square metres</td> <td style="text-align: center;">1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td style="text-align: center;">8 square metres</td> <td style="text-align: center;">2 metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td style="text-align: center;">12 square metres</td> <td style="text-align: center;">2.4 metres</td> </tr> </tbody> </table>	Dwelling type	Minimum area	Minimum dimension	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres	3 or more bedroom dwelling	12 square metres	2.4 metres
Dwelling type	Minimum area	Minimum dimension											
Studio or 1 bedroom dwelling	8 square metres	1.8 metres											
2 bedroom dwelling	8 square metres	2 metres											
3 or more bedroom dwelling	12 square metres	2.4 metres											
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Apartments 2.1 is provided with a north-facing balcony that has a width of 3 metres and an overall size of 18.1 square metres. It is also provided with a south-facing balcony with a size of 15.3 square metres.</p> <p>Apartment 3.1 is provided with a balcony that has a width of 2.4 metres and a size of 16.4 square metres. It is also provided with a roof terrace that has a size of 22.5 square metres.</p> <p>The size and dimensions of the balconies comply with Standard B43.</p>												
<p>21.10 55.07-10 – STORAGE OBJECTIVE</p> <p><i>To provide adequate storage facilities for each dwelling.</i></p>													
Standard B44	<p>Each dwelling should have convenient access to usable and secure storage space.</p> <p>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.</p> <p>Table B9 Storage</p>												

	Dwelling type	Total minimum storage volume	Minimum volume within the dwelling
	Studio	8 cubic metres	5 cubic metres
	1 bedroom dwelling	10 cubic metres	6 cubic metres
	2 bedroom dwelling	14 cubic metres	9 cubic metres
	3 or more bedroom dwelling	18 cubic metres	12 cubic metres
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>		
	Apartment 1.1 has a total storage volume of 42.1m ³ (internal 30.1m ³ and 12m ³ in the basement). Apartment 2.1 has a total storage volume of 42.1m ³ (internal 30.1m ³ and 12m ³ in the basement). Apartment 3.1 has a total storage volume of 24.1m ³ (internal 11.5m ³ and 12m ³ in the basement, 0.6m ³ at terrace). The provision of storage facilities complies with Standard B44.		
21.11 55.07-11 – WASTE AND RECYCLING OBJECTIVE <i>To ensure dwellings are designed to encourage waste recycling.</i> <i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i> <i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>			
Standard B45	Developments should include dedicated areas for: <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development. Adequately ventilated. Located and designed for convenient access by residents and made easily accessible to people with limited mobility. Adequate facilities for bin washing. These areas should be adequately ventilated. Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: <ul style="list-style-type: none"> Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 		
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>		
	Waste is proposed to be stored in the basement and taken up the lift, through the lobby to the site frontage. The City of Melbourne's Waste Services Team is supportive of the proposed waste management plan.		
21.12 55.07-12 – FUNCTIONAL LAYOUT OBJECTIVE <i>To ensure dwellings provide functional areas that meet the needs of residents.</i>			

Standard B44	Bedrooms should:									
	<ul style="list-style-type: none"> Meet the minimum room dimensions specified in Table B10. Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. 									
	Table B10 Bedroom dimensions									
	<table border="1"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres
	Bedroom type	Minimum width	Minimum depth							
	Main bedroom	3 metres	3.4 metres							
All other bedrooms	3 metres	3 metres								
Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.										
<table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10sq.m</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12sq.m</td> </tr> </tbody> </table>	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10sq.m	2 or more bedroom dwelling	3.6 metres	12sq.m	
Dwelling type	Minimum width	Minimum area								
Studio and 1 bedroom dwelling	3.3 metres	10sq.m								
2 or more bedroom dwelling	3.6 metres	12sq.m								
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>									
	The proposed dwellings all meet the requirements.									
21.13 55.07-13 – ROOM DEPTH OBJECTIVE <i>To allow adequate daylight into single aspect habitable rooms.</i>										
Standard B47	<p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> The room combines the living area, dining area and kitchen. The kitchen is located furthest from the window. The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>									
	<p>Each proposed dwelling has a ceiling height of 2.7 metres which allows for a depth of 6.75 metres. the proposal does not contain any single aspect habitable rooms that exceed a depth of 6.75 metres.</p>									
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>									
21.14 55.07-14 – WINDOWS OBJECTIVE <i>To allow adequate daylight into new habitable room windows.</i>										
Standard B48	<p>Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:</p> <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 									
	<p>Assessment</p> Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>									

	All the proposed habitable rooms have access to a window in an external wall of the building.
21.15 55.07-15 – NATURAL VENTILATION OBJECTIVE	
<i>To encourage natural ventilation of dwellings.</i>	
<i>To allow occupants to effectively manage natural ventilation of dwellings.</i>	
Standard B49	<p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p> <p>At least 40 per cent of dwellings should provide effective cross ventilation that has:</p> <ul style="list-style-type: none"> • A maximum breeze path through the dwelling of 18 metres. • A minimum breeze path through the dwelling of 5 metres. • Ventilation openings with approximately the same area. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>At apartment 1.1, the breeze path between the front bedroom windows and rear living area is approximately 17 metres.</p> <p>At apartment 2.1, the breeze path is approximately 17 metres.</p> <p>At apartment 3.1, the breeze path ranges between 8 metres and 10 metres.</p> <p>The Standard requires 40% of dwellings to achieve the desired breeze path distances, which the proposal achieves.</p>