

## Report to the Future Melbourne Committee

Agenda item 6.2

**Planning Permit Application: TP-2021-106**  
**57 Lothian Street, North Melbourne**

**19 October 2021**

**Presenter:** Larry Parsons, Head of Statutory Planning

### **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 and buildings and works associated with alterations and construction of additions to a single dwelling at 57 Lothian Street, North Melbourne (refer Attachment 2 - Locality Plan).
2. The applicants and owners are Mr Damian Plummer and Ms Linh Plummer. The architect is Andrew Maynard Architects.
3. The land is located within the Mixed Use Zone (MUZ) and is affected by the Heritage Overlay Schedule 3 (HO3), Design and Development Overlay Schedule 26, 32 and 66 (DDO26, DDO32 and DDO66) and Parking Overlay Schedule 12 (PO12). A planning permit is required under the provisions of the MUZ, HO3 and DDO32.
4. The application seeks to construct an extension of the ground floor footprint with a three storey addition at the rear of the site (refer attachment 3 – Selected Plans).
5. The building is listed as 'Significant' within the Heritage Places Inventory February 2020 Part A (Amended May 2021).
6. Public notice of the proposal has been undertaken and no objections were received.

### **Key issues**

7. Key issues for consideration of the application are built form and amenity impacts (Clause 54 – One dwelling on a lot); and heritage, given a 'Significant' graded building is proposed to undergo substantial redevelopment.
8. Subject to conditions, the proposed development is considered to be an acceptable balance of built form and heritage policies. The partial demolition proposed to the significant building retains the side street wall, therefore does not impact the appearance of the building from the public realm, does not affect its notable features, and will not unduly impact the heritage character of the place.
9. The proposed three-storey addition respects the diverse built form character typical in the area, which includes a four-storey neighbour. The addition is of a distinct modern character that is sympathetic and respectful of the existing built form character of the area.
10. The proposal complies with the provisions of the Melbourne Planning Scheme related to the construction or extension of one dwelling on a lot, is considered an appropriate design response in this inner city context and will not result in unreasonable amenity impacts to surrounding properties.

### **Recommendation from management**

11. That the Future Melbourne Committee resolves a Planning Permit be granted subject to the conditions outlined in the Delegate Report (refer Attachment 4 - Delegate Report).

#### **Attachments:**

1. Supporting Attachment (Page 2 of 65)
2. Locality Plan (Page 3 of 65)
3. Selected Plans (Page 4 of 65)
4. Delegate Report (Page 28 of 65)

## Supporting Attachment

---

### Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.

### Finance

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

### Conflict of interest

3. 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

4. Relevant planning considerations and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

### Stakeholder consultation

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

### Relation to Council policy

6. Relevant Council policies are discussed in the attached Delegate Report (refer Attachment 4).

### Environmental sustainability

7. Standard permit conditions will ensure the development achieves the relevant performance measures set out in Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management) and Clause 53.18 (Stormwater Management in Urban Development) of the Melbourne Planning Scheme.

# Locality Plan

Attachment 2  
Agenda item 6.2  
Future Melbourne Committee  
19 October 2021

## 57 Lothian Street, North Melbourne



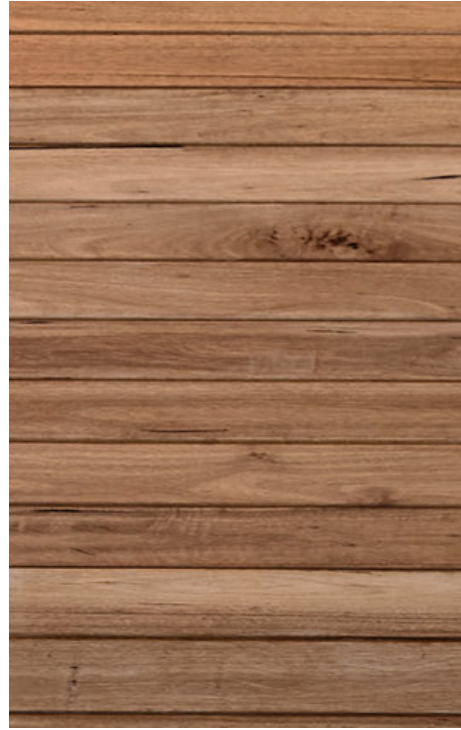


## 200716 - LOTHIAN

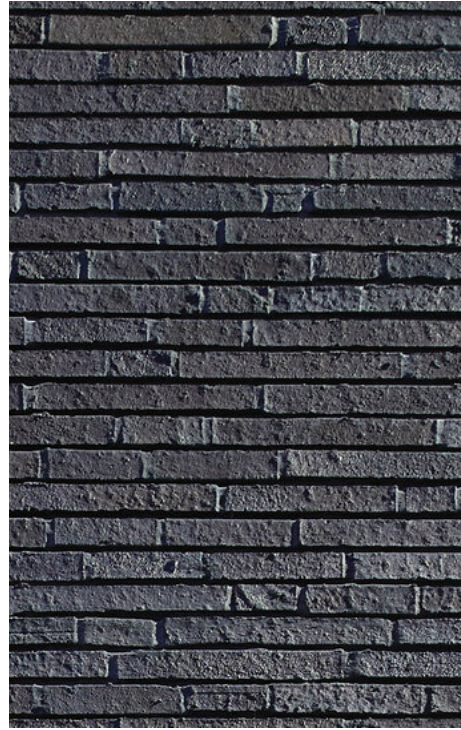
57 Lothian Street, North Melbourne

### DRAWING LIST

Sheet No.	Sheet Name	Rev. No.	Rev. Date		
TP-101	Design Response & Materials	B	29/6/21	Owner:	<b>Damian Plummer</b> 22 Beckwith Street Coburg, VIC 3058
TP-102	Austin Maynard Architects - Previous Work	A	23/2/21		
TP-103	Existing Streetscape & Site Location Plan	A	23/2/21		
TP-104	Existing / Demo Ground Floor Plan	A	23/2/21	Architect:	<b>Austin Maynard Architects</b> 77 Argyle Street Fitzroy, Vic, 3065 Ph: 0497 020 635 Contact: Elliot Dunton Email: elliot@maynardarchitects.com
TP-105	Existing / Demo Roof Plan	A	23/2/21		
TP-106	Proposed Ground Floor Plan	B	29/6/21		
TP-107	Proposed Basement Level Floor Plan	A	23/2/21		
TP-108	Proposed First Floor Plan	B	29/6/21	Planning Consultant:	<b>ASK Planning Services</b> 31 Mills Street 3037 Albert Park, VIC 3206 Ph: 0414 799 558 Contact: Mark Stanojevic Email: mark@askplanningservices.com
TP-109	Proposed Second Level Plan	B	29/6/21		
TP-110	Proposed Roof Plan	B	29/6/21		
TP-201	Existing / Demo & Proposed East Elevation	A	23/2/21		
TP-202	Existing / Demo & Proposed West Elevation	B	29/6/21		
TP-203	Existing / Demo North Elevation	A	23/2/21	Heritage Consultant:	<b>Context GML Heritage Victoria Pty Ltd</b> PO Box 21, Moreland, VIC 3058 Ph: 03 9380 6933 Contact: Ruth Redden Email: ruth@contextgml.com.au
TP-204	Proposed North Elevation	B	29/6/21		
TP-205	Existing / Demo South Elevation	A	23/2/21		
TP-206	Proposed South Elevation	B	29/6/21		
TP-207	Proposed Section A	B	29/6/21		
TP-301	Shadow Analysis Diagrams - 9am September 22nd	B	29/6/21	Land Surveyor:	<b>Dickson Hearn Consulting Land Surveyors</b> 685 Glenhuntly Road, Caulfield South, VIC 3162 Ph: 03 9523 9255 Contact: Peter Dennis Email: melb@dicksonhearn.com.au
TP-302	Shadow Analysis Diagrams - 12pm September 22nd	B	29/6/21		
TP-303	Shadow Analysis Diagrams - 3pm September 22nd	B	29/6/21		
TP-401	3D Images	A	23/2/21		
TP-402	STORM Calculations	B	29/6/21		
TP-403	Proposed Sightline Diagram (North Elevation)	B	29/6/21		



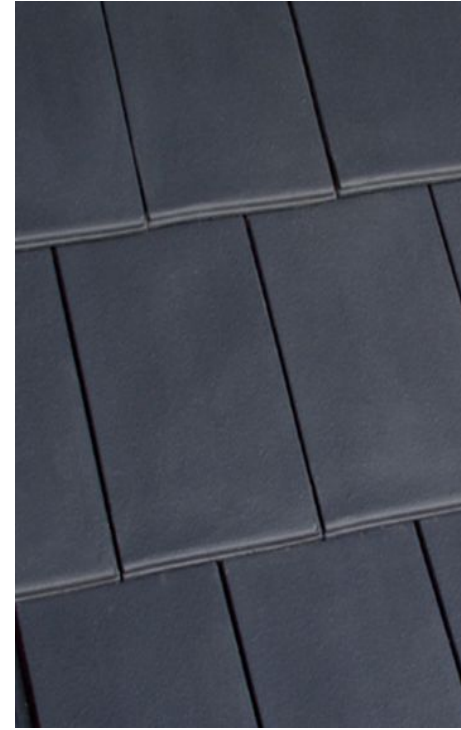
TC: Natural Timber Cladding



BR-1: Krause Emperor Brick in Grampian Blue



BR-2: Recycled Brick



SL: Slate Roof

This proposal's design strategy is to protect and repair the significant brick heritage cottage at 57 Lothian Street, North Melbourne. The proposed rear addition has been sensitively located to the rear of the site, acting as a backdrop and highlighting the existing brick cottage's importance and presence. The new addition's proposed building height responds directly to the adjacent four-storey brick apartment building to the west. However, this height scale is brought down by breaking up the massing through form and materiality; ultimately demonstrating an understanding and appreciation for the abutting twin two-storey heritage terraces to the south.

The proposed material selections are robust and contextual and seek to reference the historical build-up of multiple eras, encompassing commercial, residential and light industrial precedents present throughout the surrounding area. The re-imagined timber cottage in pride of place contributes to the context and will beautifully age over time. So too will the existence of the brick privy, which is to be re-interpreted in the original location. Additionally, the proposed colour palette is thoughtful and sensitively responds to the vibrant and eclectic nature of the North Melbourne area.

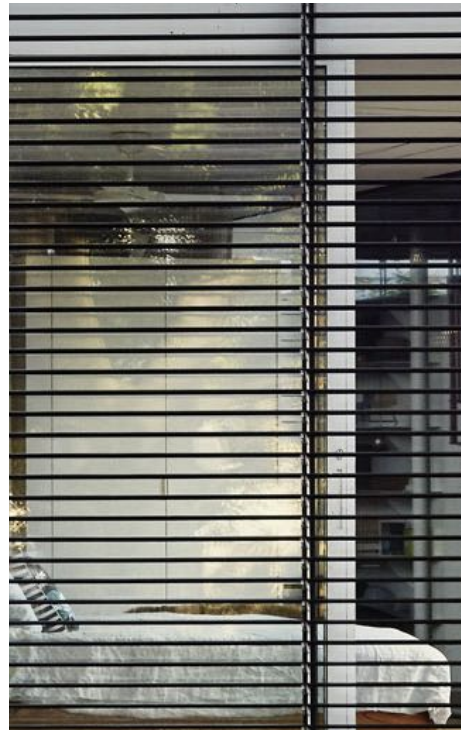
As a fundamental component of good design, sustainability is at the core of this proposed home. Whilst compact, the spaces are well-considered and share optimised natural light and ventilation throughout all rooms. Solar harvesting is tied closely to heritage as a western focus sensitively locates all new solar panels out of sight from the heritage cottage when viewing from the street. Rainwater collection is maximised, achieving best practice water quality objectives for the site. Instead of a typical metal colourbond roof, elegant slate and an extensive green roof will positively contribute to the southern neighbour's outlook and provide more abundant greenery in the area.

This proposal works very clearly with the old and new as it aims to give the subject site more space, a generous central light-well and significant garden area. By arranging the active family spaces around the public interfaces, this secure home can now open up to the northern neighbours, engage with the surrounding community and activate and humanise the rear laneway's inherent utilitarian condition.

The design ultimately seeks to provide a contemporary home for a thriving contemporary family of five. This new home strives to establish itself as an exemplar precedent for small block adaptive re-use in The City of Melbourne by promoting sustainable ways of connecting back to the public realm.



GR: Green Roof (non-habitable)



SC: External Window Louvre Screening



P1: White Painted Finish



TB: Natural Timber Battens

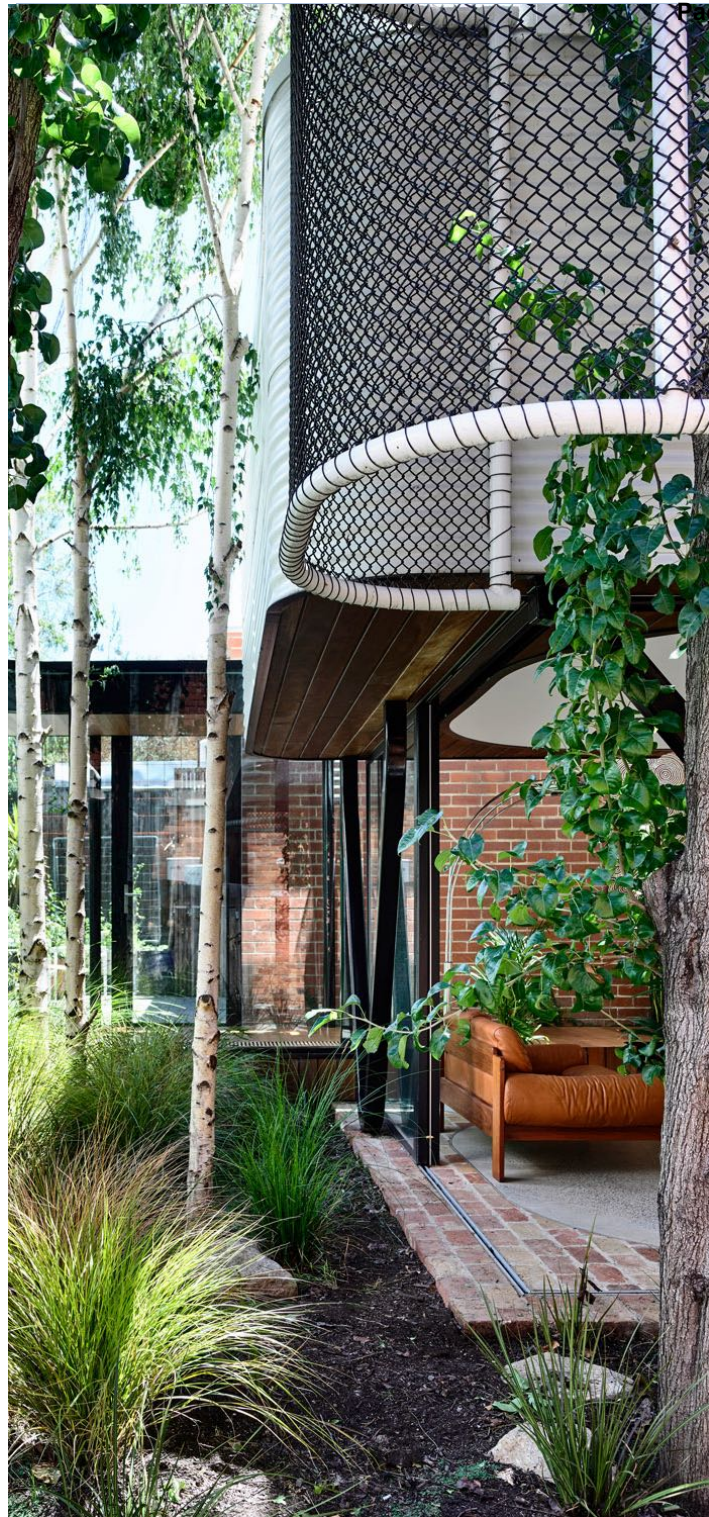
Site Statistics

Total site area:	<b>118m<sup>2</sup></b>
Existing ground floor area:	<b>65.5m<sup>2</sup></b> (existing house)
Proposed basement floor area:	<b>39.9m<sup>2</sup></b>
Proposed ground floor area:	<b>104.2m<sup>2</sup></b>
Proposed first floor area:	<b>40.0m<sup>2</sup></b>
Proposed second level floor area:	<b>25.4m<sup>2</sup></b>
Total proposed floor area:	<b>209.5m<sup>2</sup></b>
Existing site coverage:	<b>69.0%</b> (81.5m <sup>2</sup> ) existing house (65.5m <sup>2</sup> ) + existing carport (12.3m <sup>2</sup> ) + existing shed (3.7m <sup>2</sup> )
Proposed site coverage:	<b>88.3%</b>
Existing permeability:	<b>13.1%</b>
Proposed permeability:	<b>19.7%</b> (courtyard + green roof)
Proposed P.O.S.:	-
Proposed S.P.O.S.:	<b>12.8m<sup>2</sup></b>
Total proposed P.O.S.:	<b>12.8m<sup>2</sup></b>



**EMPIRE House**  
Canberra  
completed 2019

- Winner -- The Canberra Medallion, The Australian Institute of Architects
- High Commend. -- The Gene Willsford Award, The Australian Institute of Architects
- Winner -- HIA Project of the year, Housing Industry Association
- National Commendation 2019 National Architecture Awards



**King Bill**  
City Of Yarra  
completed 2017

- Winner -- The John and Phyllis Murphy Award, Victorian Architecture Awards 2018  
Houses Awards 2018
- Commendation -- 2018 Australian National Architecture Awards
- Commendation -- World house of the year, World Architecture Festival 2018
- Finalist -- Dezeen, World's Best Architecture Awards 2018 Long list  
Best Project 2018, Archilover



**Mills, The Toy Management House**  
City of Port Philip  
completed 2015

- Winner -- Residential Architecture Alteration & Addition Award, National Architecture Awards 2016 for Mills House
- Winner -- The John and Phyllis Murphy Award, Victorian Architecture Awards 2016 for Mills House
- Winner -- Interior Architecture Award, Victorian Architecture Awards 2016 for Mills House



**Tower House**  
City of Darebin  
completed 2014

- Winner -- The Eleanor Cullis-Hill Award, National Architecture Awards 2015 for Tower House
- Winner -- The John and Phyllis Murphy Award, Victorian Architecture Awards 2015 for Tower House
- Winner -- House Alteration & Addition Award, The HOUSES Awards 2015 for Tower House
- High Commend. -- World House of the Year, World Architecture Festival 2015 for Tower House



**AUSTIN MAYNARD ARCHITECTS**

www.maynardarchitects.com  
info@maynardarchitects.com  
Phone: (+61) 0497 020 635  
77 Argyle St, Fitzroy  
VIC, 3068, AUSTRALIA  
ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
© Andrew Maynard Architects  
These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

CLIENT  
Damian Plummer

DRAWING TITLE  
**Austin Maynard Architects - Previous Work**

A 23/2/21 TP Submission  
ISSUE DATE REVISION

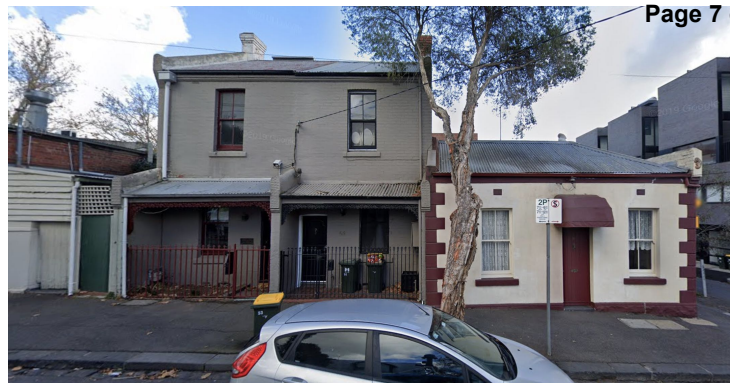
PROJECT # 200715  
DATE # 05.11.20  
SCALE @ A3 n/a  
DRAWN ED  
CHKD MA

**TP-102**

**A**  
REVISION



688 Queensberry Street



53b Lothian Street 55 Lothian Street

**Subject Site**  
57 Lothian Street



**Subject Site**  
57 Lothian Street

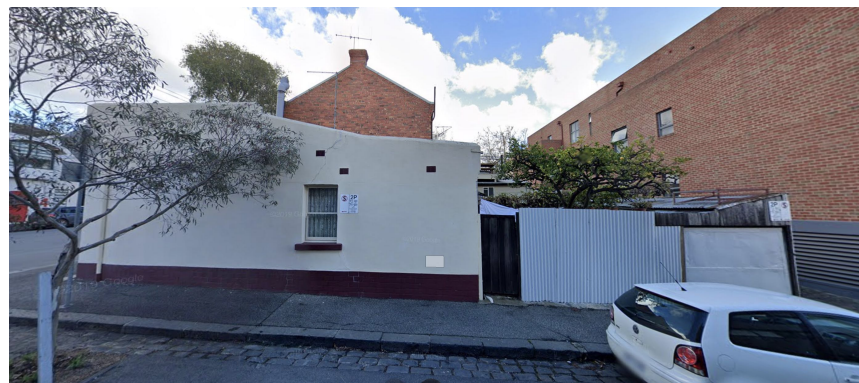
59 Lothian Street



61-63 Lothian Street



Lothian Street



**Subject Site**  
57 Lothian Street



**Subject Site**  
57 Lothian Street

Road



700 Queensberry Street



**AUSTIN MAYNARD ARCHITECTS**

www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**

CLIENT  
 Damian Plummer

DRAWING TITLE  
**Existing Streetscape & Site Location Plan**




A	23/2/21	TP Submission
ISSUE	DATE	REVISION

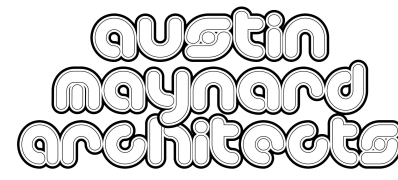
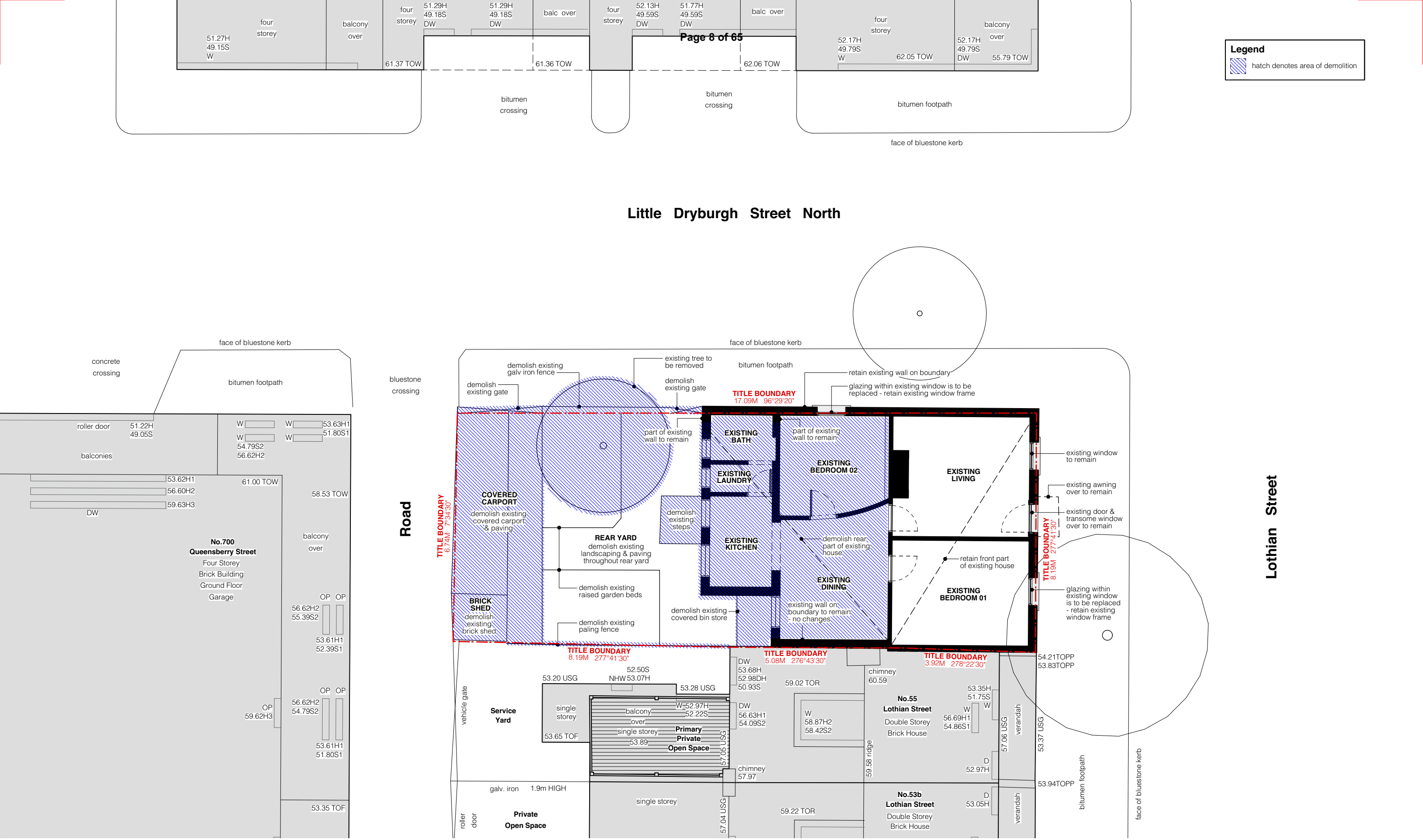
PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	n/a
DRAWN	ED
CHKD	MA

**TP-103**

**A**  
 REVISION

**Legend**  
 hatch denotes area of demolition

Little Dryburgh Street North



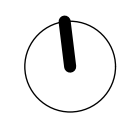
**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

CLIENT  
**Damian Plummer**

DRAWING TITLE  
**Existing / Demo Ground Floor Plan**



A 23/2/21 TP Submission  
 ISSUE DATE REVISION

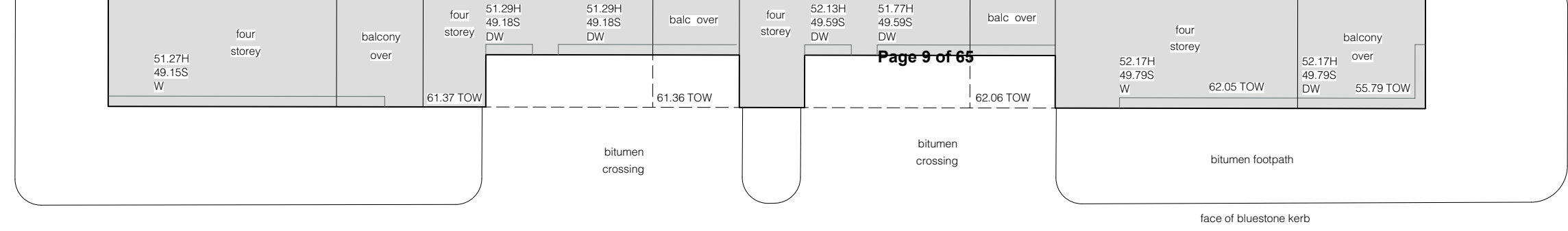
PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

**TP-104**

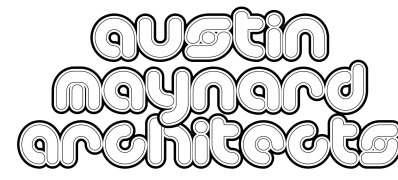
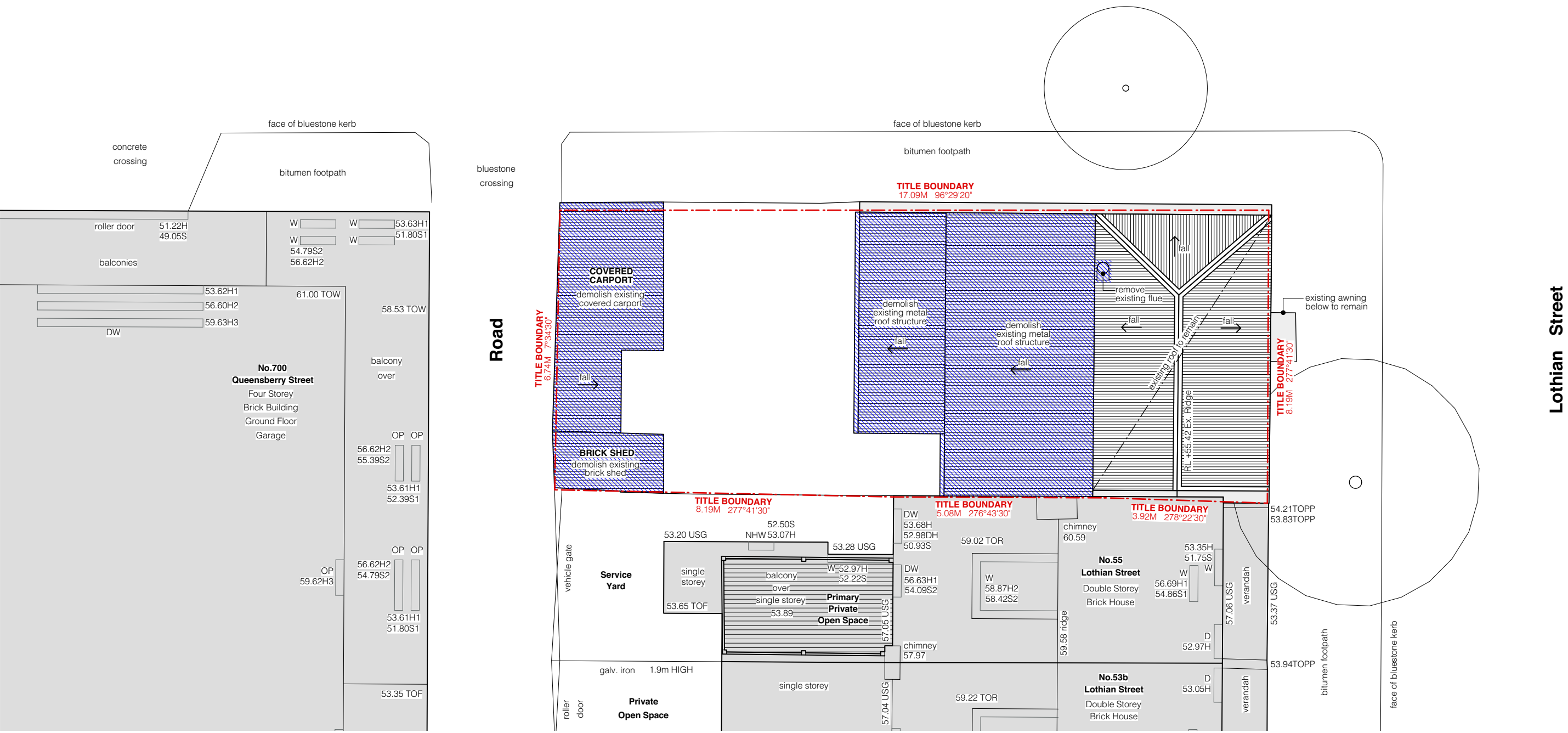
**A**  
 REVISION



**Legend**  
 hatch denotes area of demolition



Little Dryburgh Street North



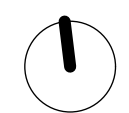
**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

CLIENT  
 Damian Plummer

DRAWING TITLE  
**Existing / Demo Roof Plan**



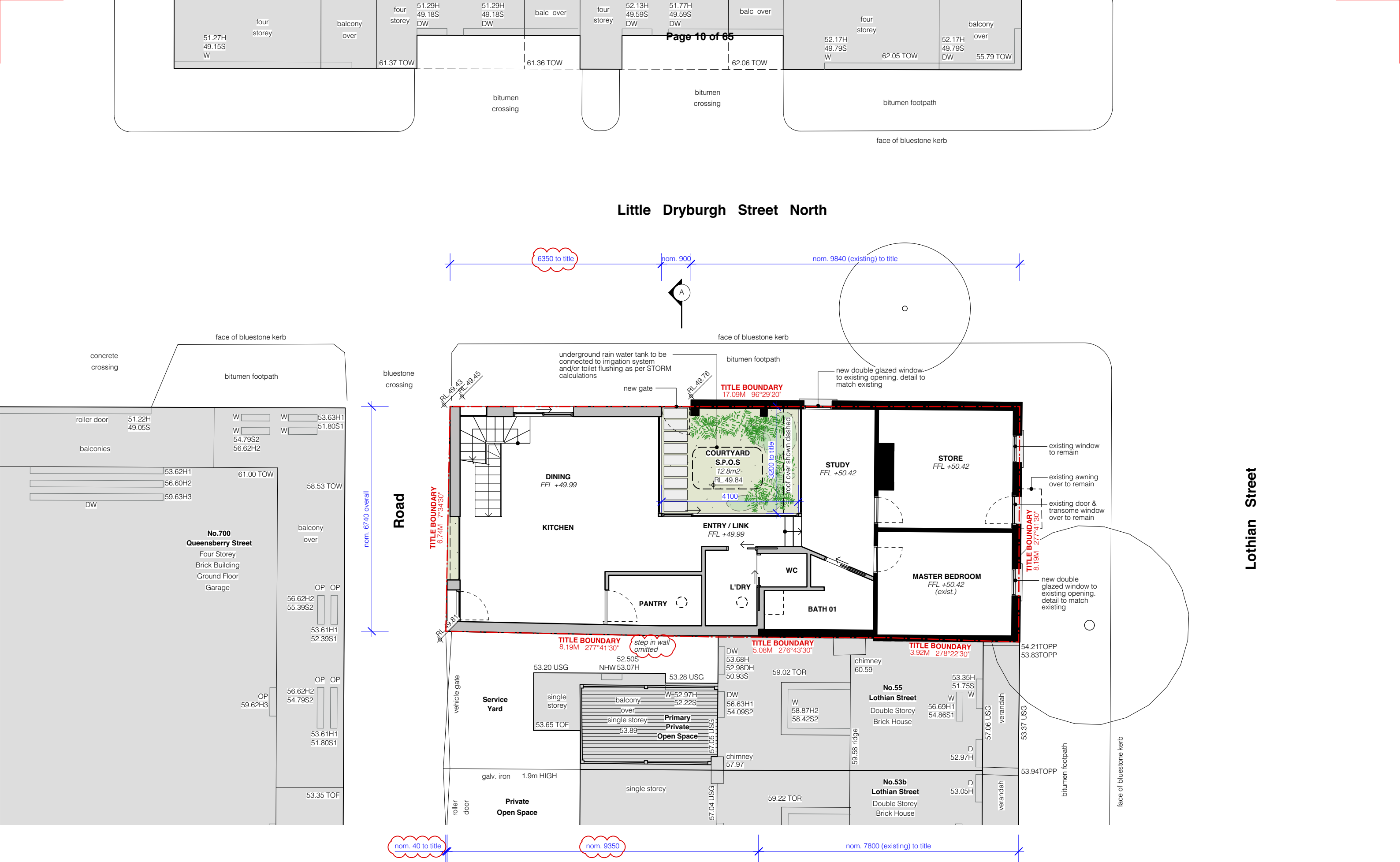
A 23/2/21 TP Submission  
 ISSUE DATE REVISION

PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

**TP-105**

**A**  
 REVISION

Little Dryburgh Street North



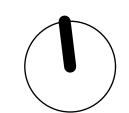
**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

CLIENT  
**Damian Plummer**

DRAWING TITLE  
**Proposed Ground Floor Plan**



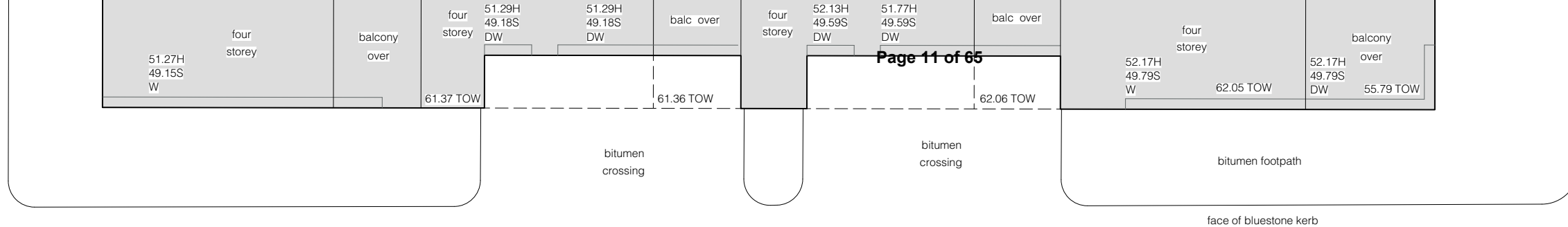
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:100
DRAWN	ED
CHKD	MA

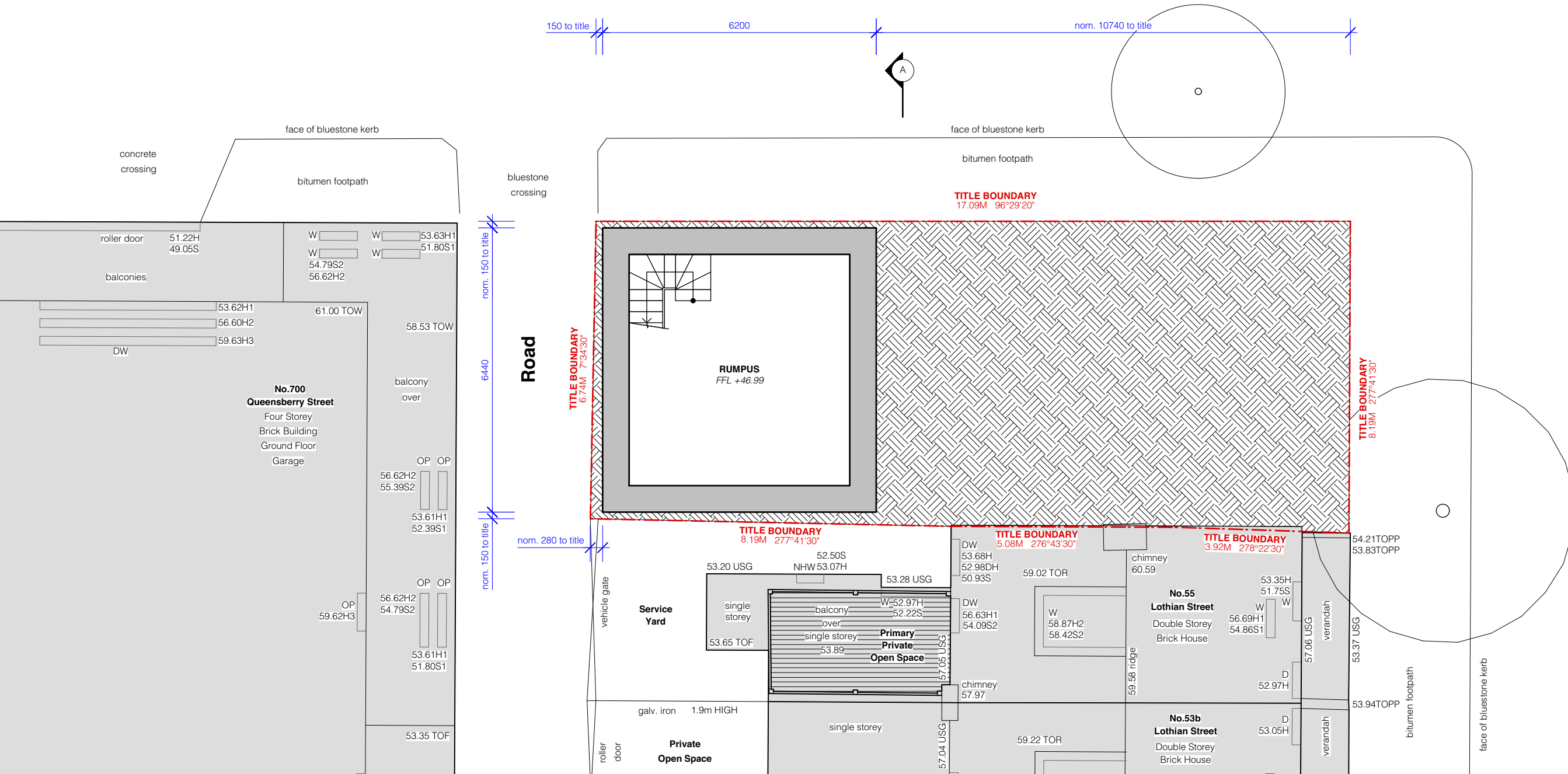
**TP-106**

**B**

REVISION



Little Dryburgh Street North



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**Proposed Basement Level Floor Plan**

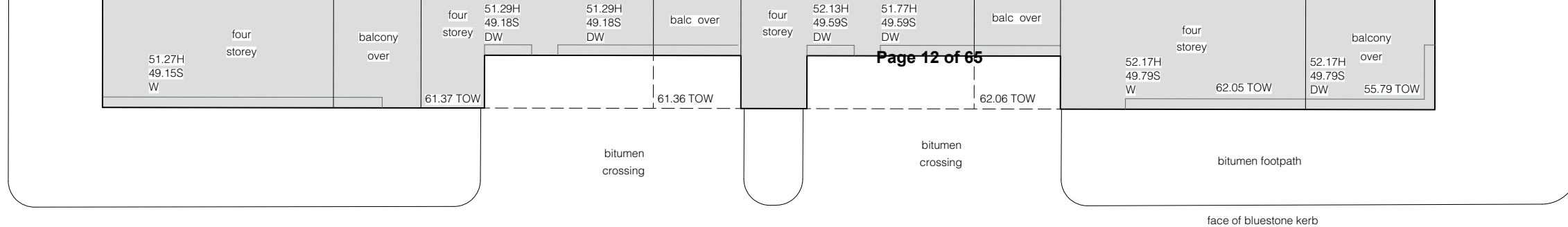


A 23/2/21 TP Submission  
 ISSUE DATE REVISION

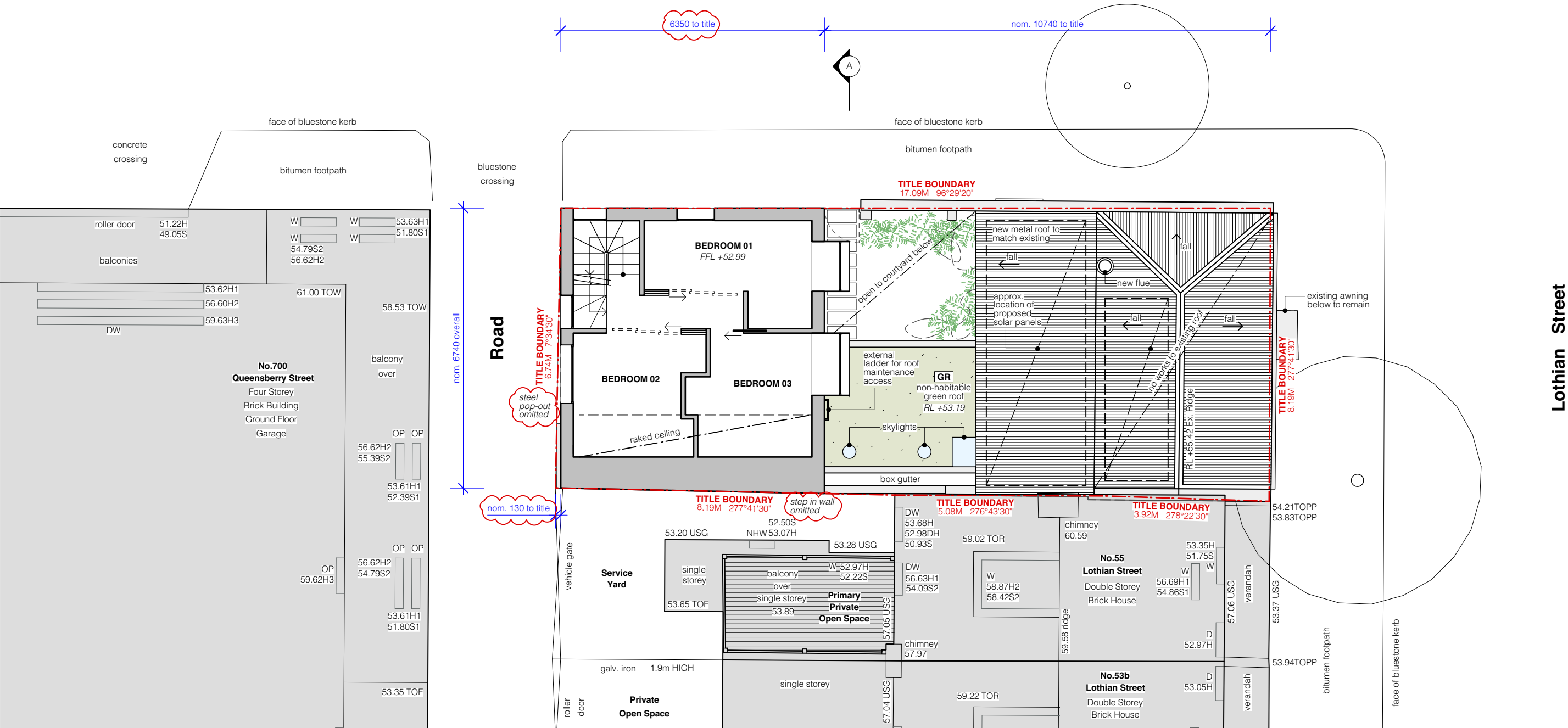
PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

**TP-107**

**A**  
 REVISION



Little Dryburgh Street North



**AUSTIN MAYNARD ARCHITECTS**

www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**

CLIENT  
 Damian Plummer

DRAWING TITLE  
**Proposed First Floor Plan**

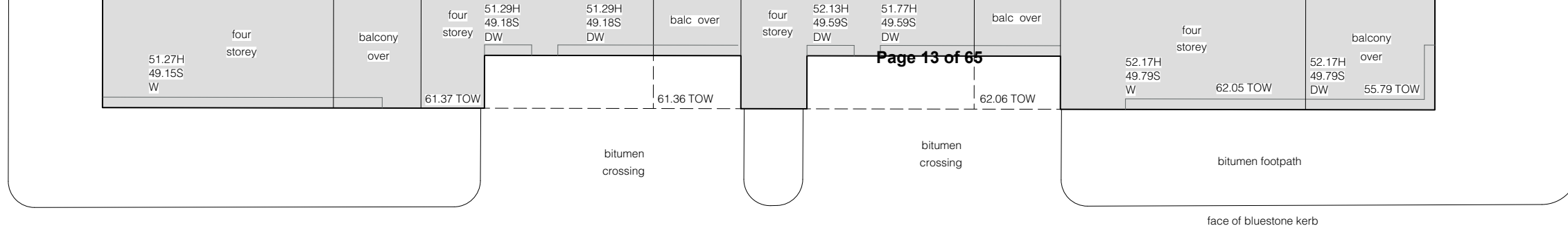


B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

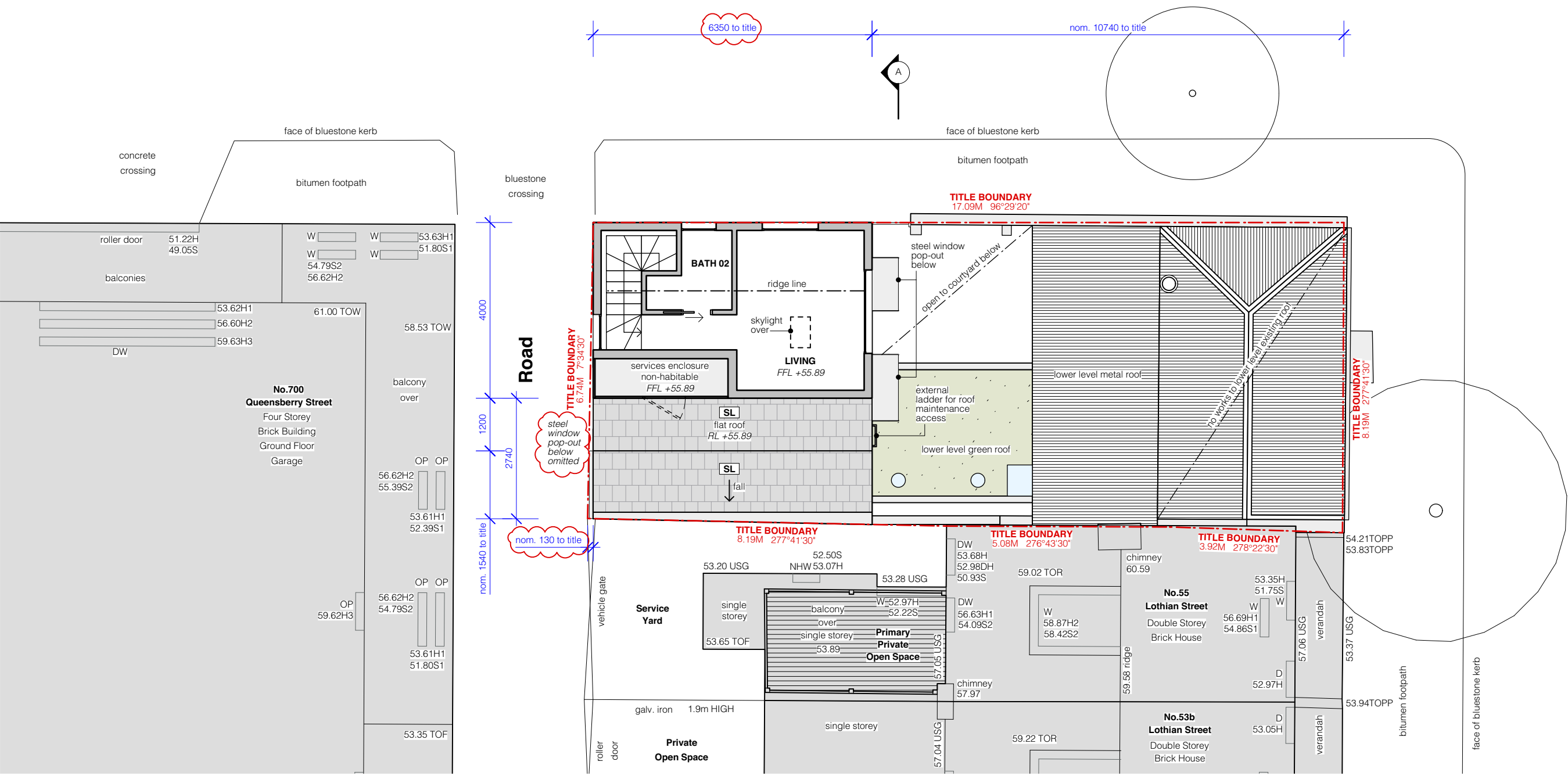
PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:100
DRAWN	ED
CHKD	MA

**TP-108**

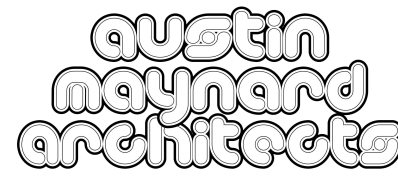
**B**  
 REVISION



Little Dryburgh Street North



Lothian Street



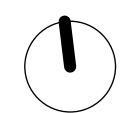
**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

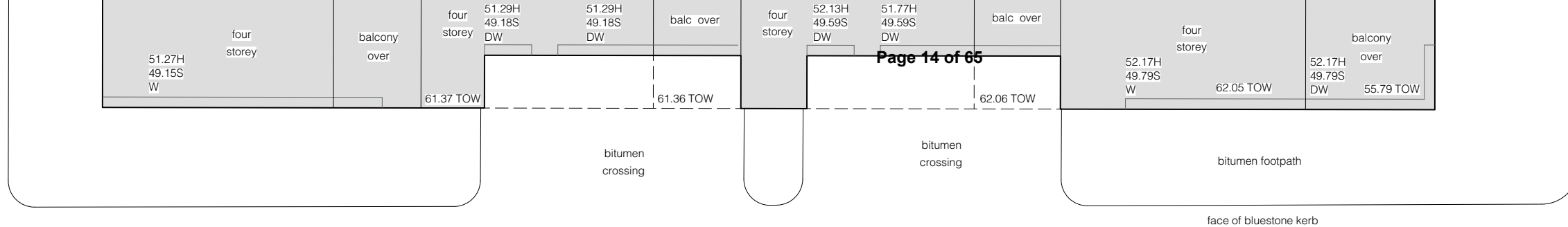
CLIENT  
 Damian Plummer

DRAWING TITLE  
**Proposed Second Level Plan**

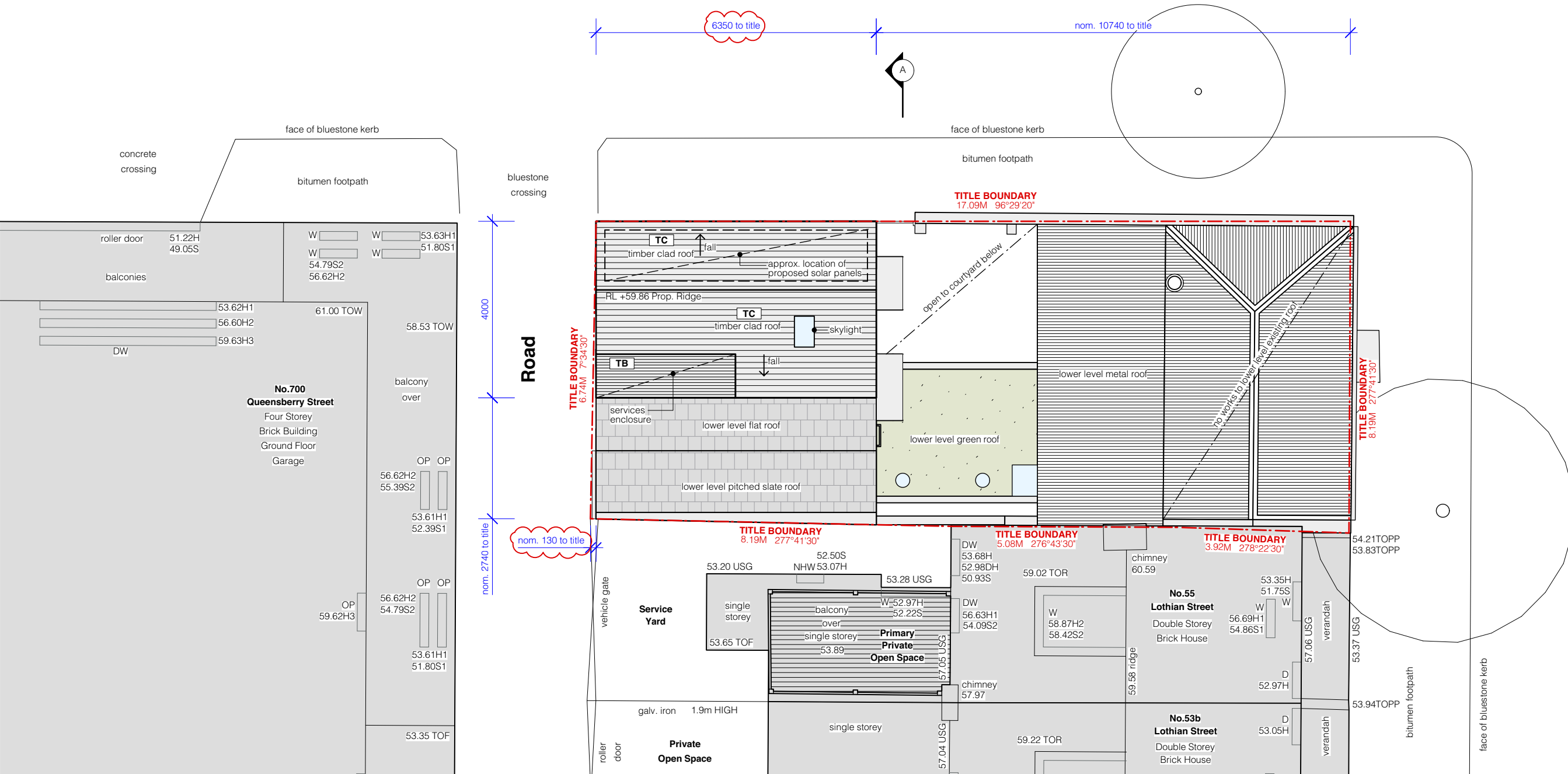


PROJECT #	200715	TP-109
DATE #	05.11.20	
SCALE @ A3	1:100	
DRAWN	ED	<b>B</b>
CHKD	MA	
ISSUE	DATE	REVISION
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission

**B**



Little Dryburgh Street North



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**Proposed Roof Plan**



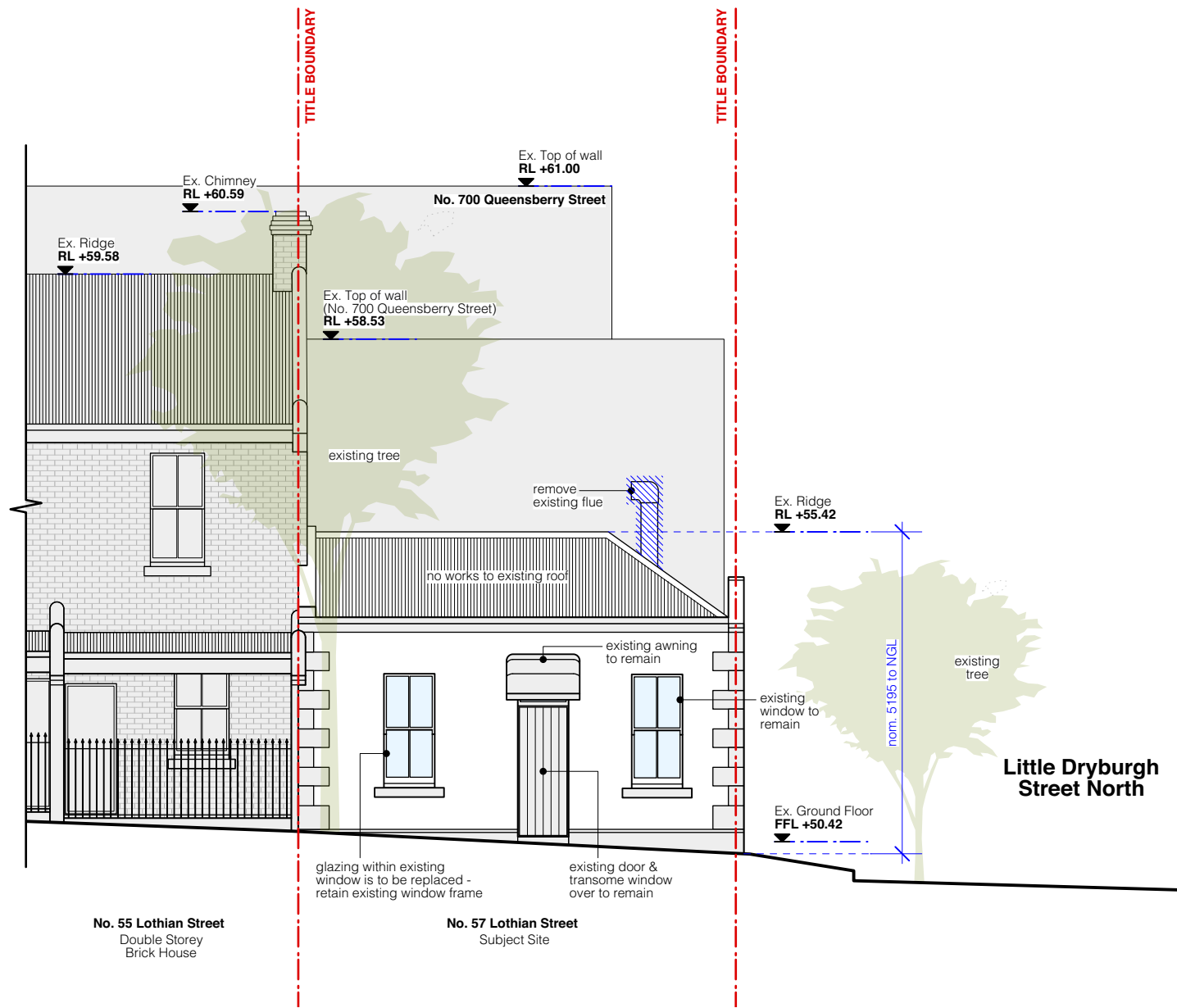
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:100
DRAWN	ED
CHKD	MA

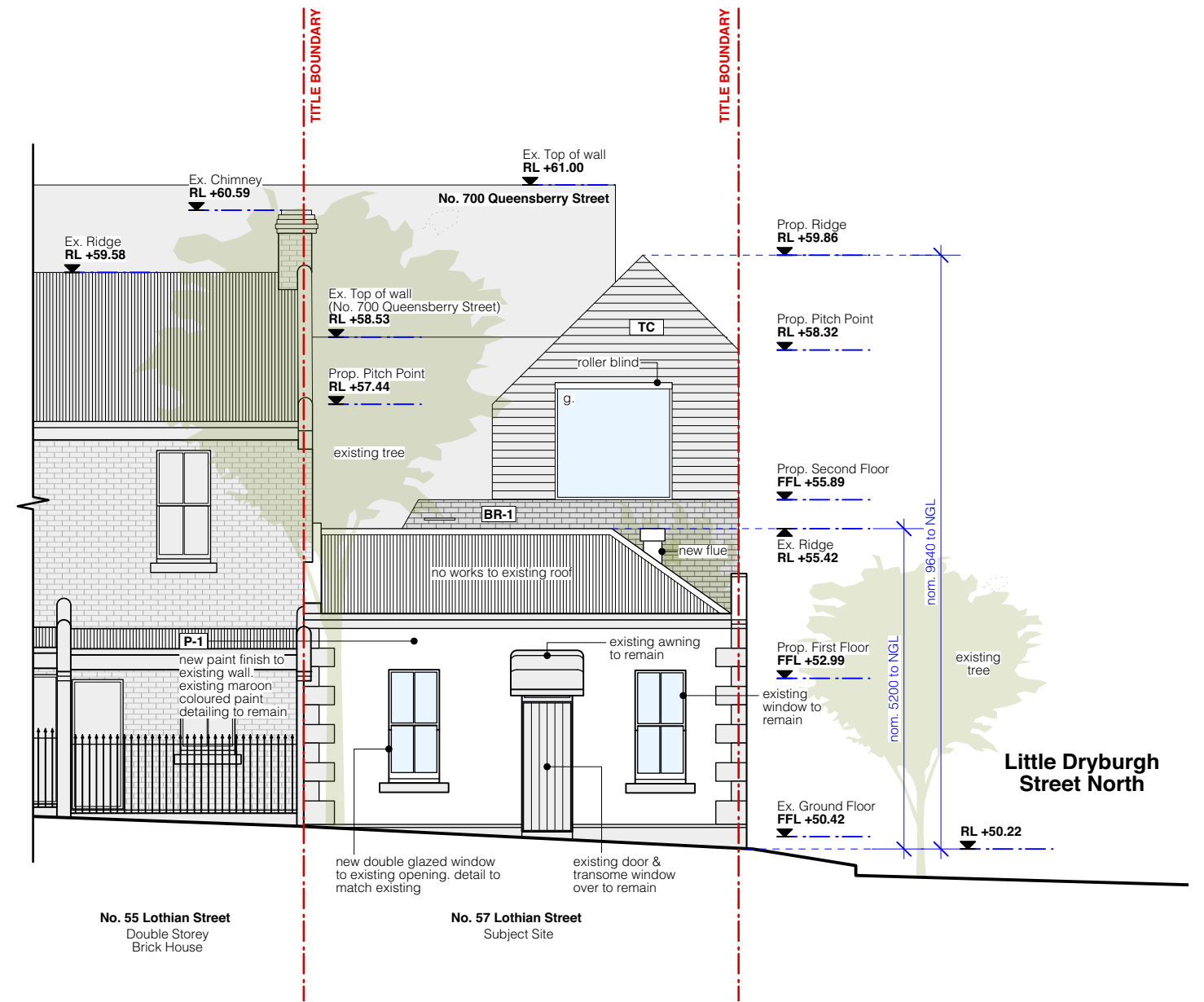
**TP-110**

**B**  
REVISION

Legend	
	hatch denotes area of demolition
<b>BR-1</b>	brick - grampian blue
<b>BR-2</b>	recycled brick
<b>TC-1</b>	natural timber cladding
<b>TB</b>	natural timber batten
<b>P-1</b>	white paint finish
<b>SL</b>	slate
<b>GR</b>	green roof (non-habitable)
<b>SC</b>	screening (louvre)
g.	clear glass



01 Existing / Demo | East Elevation  
1:100



02 Proposed | East Elevation  
1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer

DRAWING TITLE  
**Existing / Demo & Proposed East Elevation**

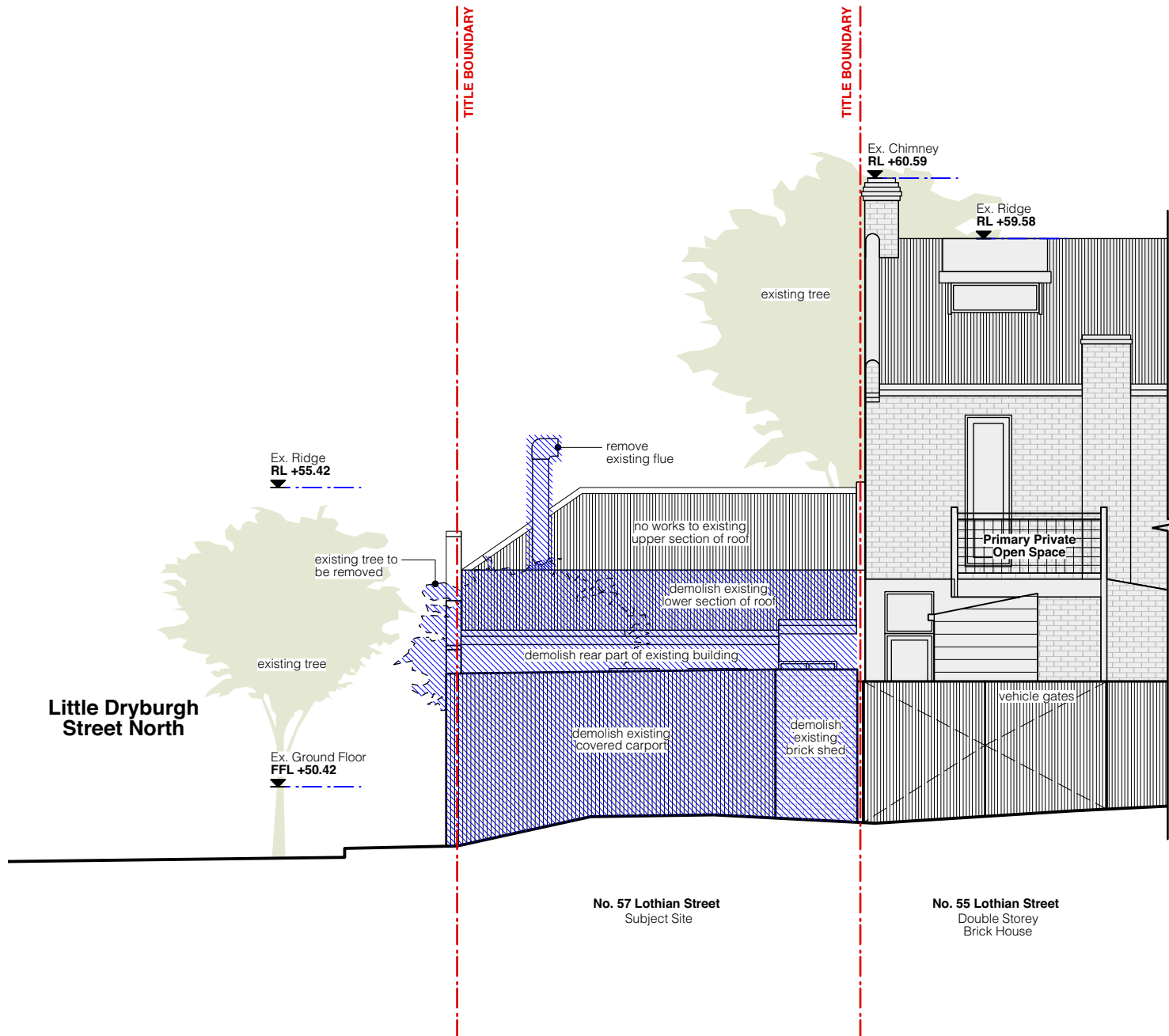
A 23/2/21 TP Submission  
 ISSUE DATE REVISION

PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

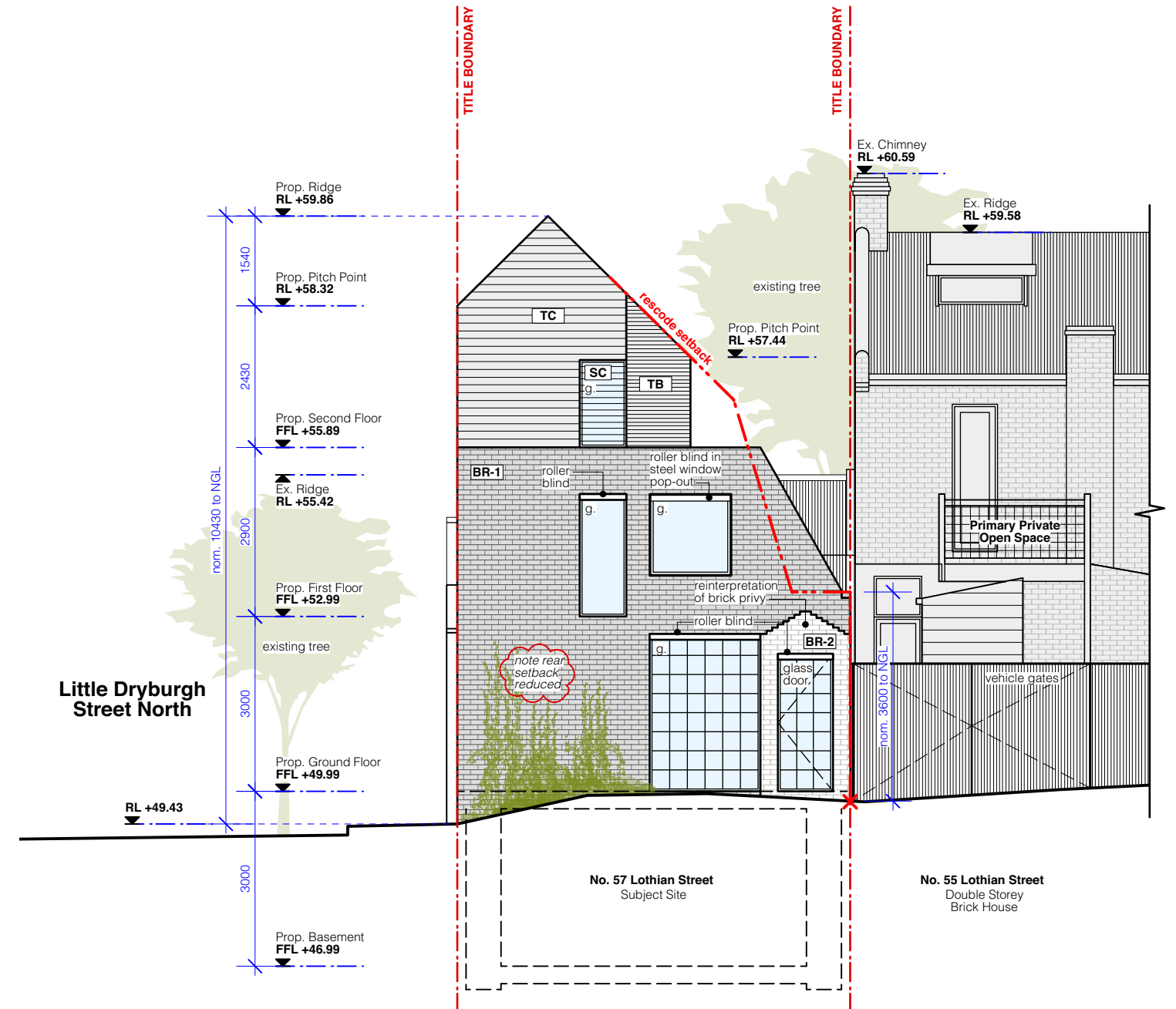
**TP-201**

**A**  
 REVISION

Legend	
	hatch denotes area of demolition
<b>BR-1</b>	brick - grampian blue
<b>BR-2</b>	recycled brick
<b>TC-1</b>	natural timber cladding
<b>TB</b>	natural timber batten
<b>P-1</b>	white paint finish
<b>SL</b>	slate
<b>GR</b>	green roof (non-habitable)
<b>SC</b>	screening (louvre)
g.	clear glass



01 Existing / Demo | West Elevation  
1:100



02 Proposed | West Elevation  
1:100



**AUSTIN MAYNARD ARCHITECTS**

www.maynardarchitects.com  
info@maynardarchitects.com  
Phone: (+61) 0497 020 635  
77 Argyle St, Fitzroy  
VIC, 3068, AUSTRALIA  
ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
© Andrew Maynard Architects  
These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**

CLIENT  
Damian Plummer

DRAWING TITLE  
**Existing / Demo & Proposed West Elevation**


PROJECT # 200715  
DATE # 05.11.20  
SCALE @ A3 1:100  
DRAWN ED  
CHKD MA

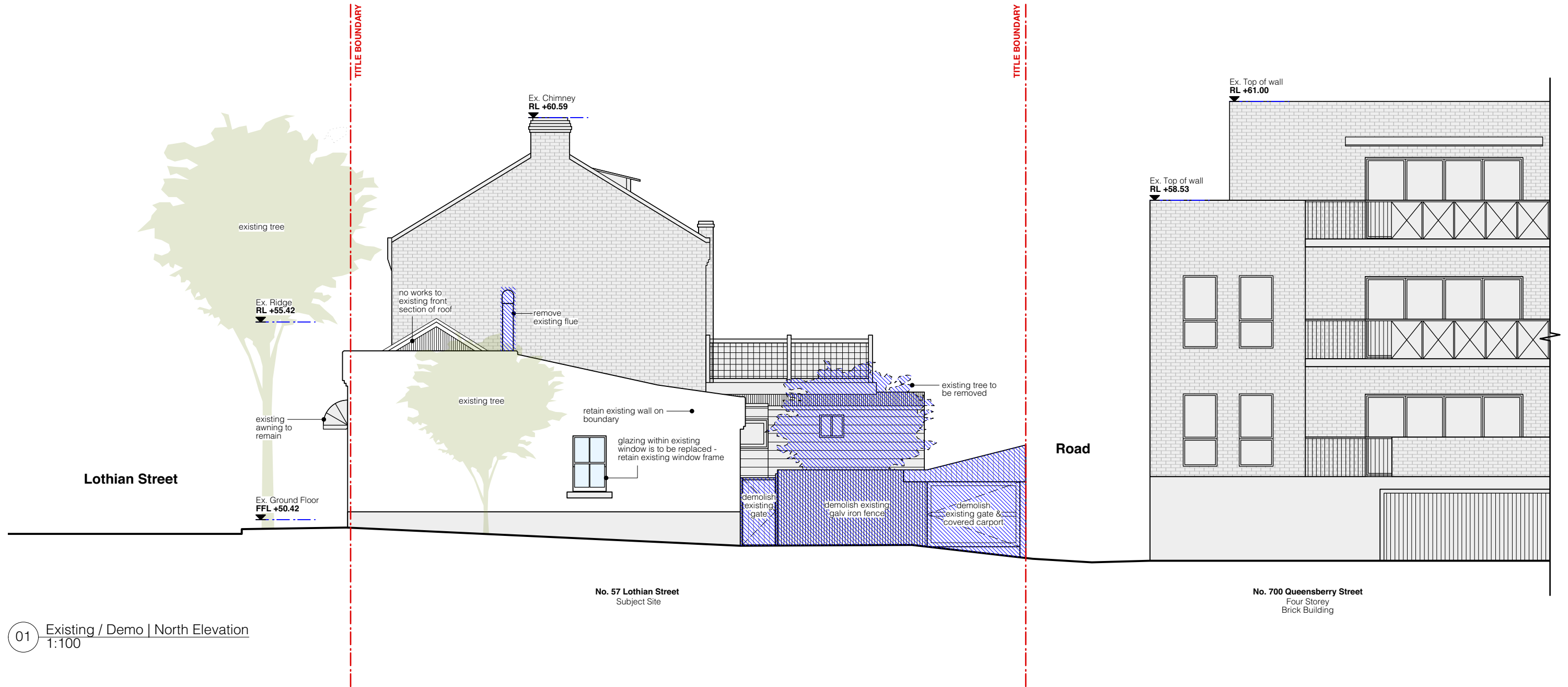
**TP-202**

ISSUE	DATE	REVISION
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission

**B**  
REVISION



**Legend**  
 hatch denotes area of demolition



01 Existing / Demo | North Elevation  
 1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**Existing / Demo North Elevation**

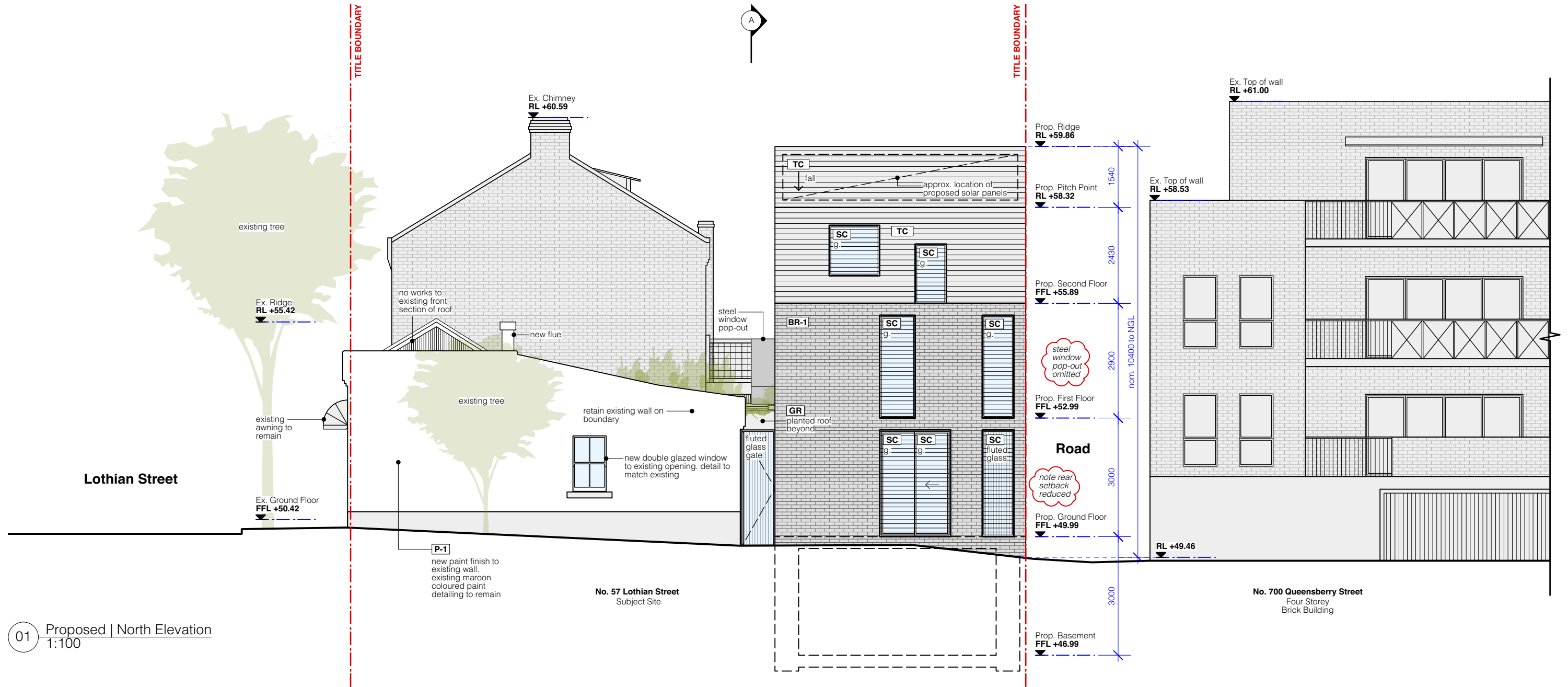
A 23/2/21 TP Submission  
 ISSUE DATE REVISION

PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

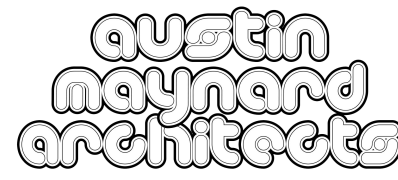
**TP-203**

**A**  
 REVISION

Legend	
	hatch denotes area of demolition
<b>BR-1</b>	brick - grampian blue
<b>BR-2</b>	recycled brick
<b>TC-1</b>	natural timber cladding
<b>TB</b>	natural timber batten
<b>P-1</b>	white paint finish
<b>SL</b>	slate
<b>GR</b>	green roof (non-habitable)
<b>SC</b>	screening (louvre)
g.	clear glass



01 Proposed | North Elevation  
1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636


Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

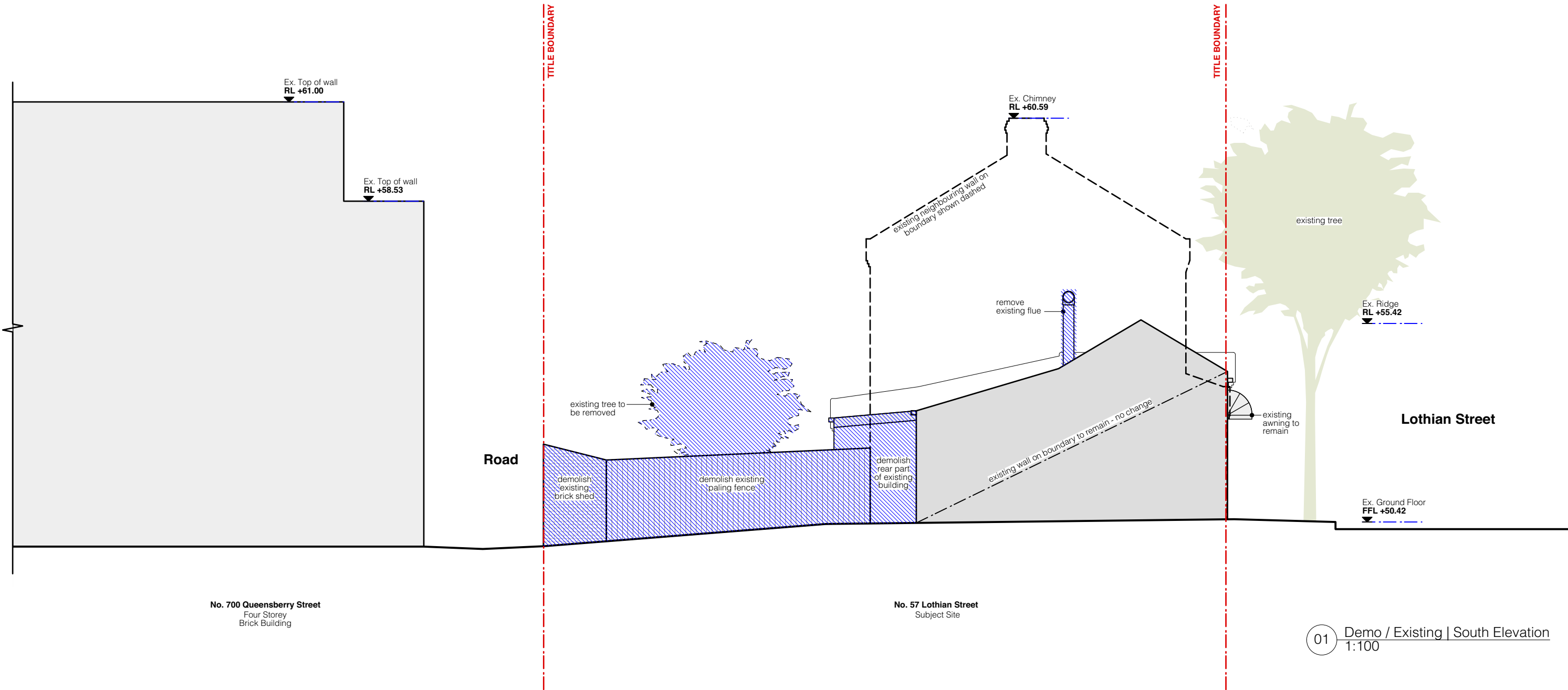
PROJECT  
**LOTHIAN**

CLIENT  
**Damian Plummer**

DRAWING TITLE  
**Proposed North Elevation**

PROJECT #	200715	<b>TP-204</b>
DATE #	05.11.20	
SCALE @ A3	1:100	
DRAWN	ED	<b>B</b>
CHKD	MA	
ISSUE	DATE	REVISION
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission

**Legend**  
 hatch denotes area of demolition



01 Demo / Existing | South Elevation  
1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**Existing / Demo South Elevation**

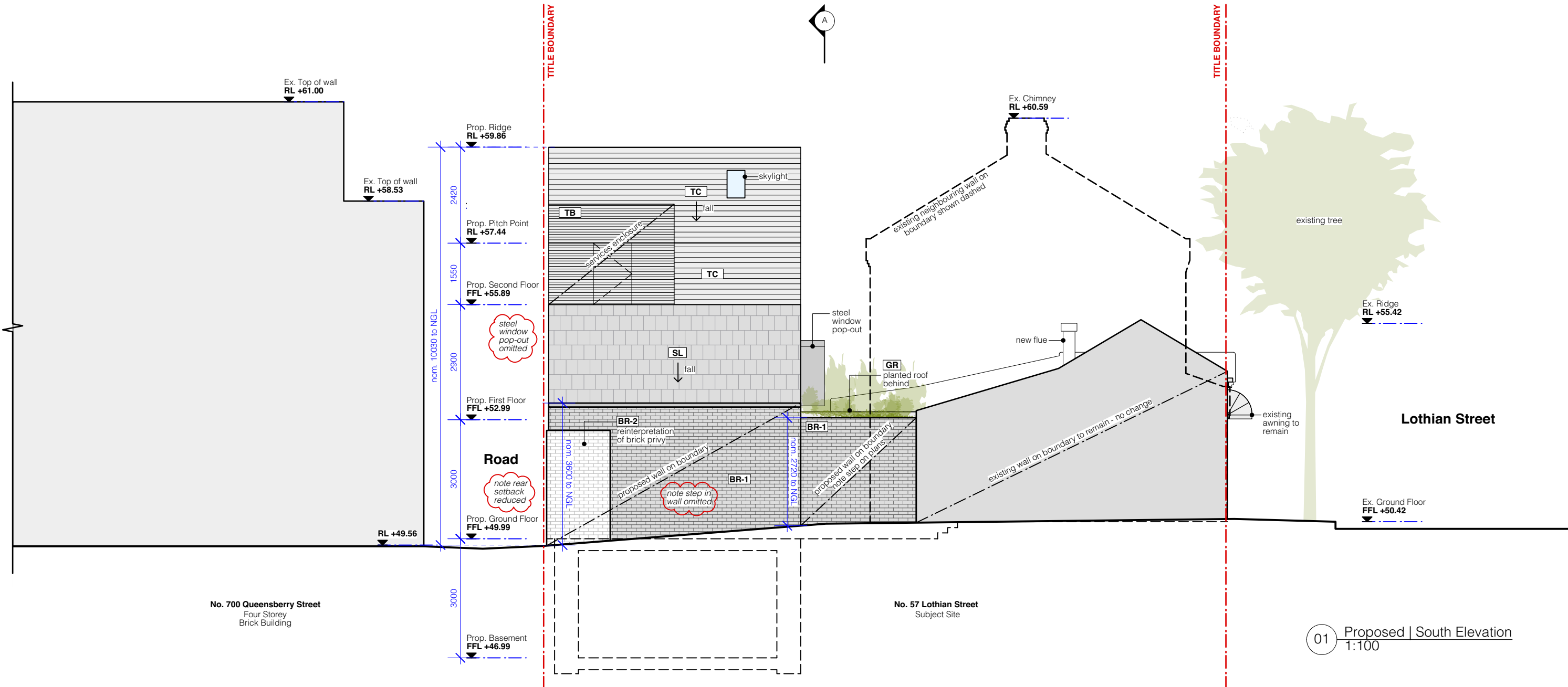
A 23/2/21 TP Submission  
 ISSUE DATE REVISION

PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

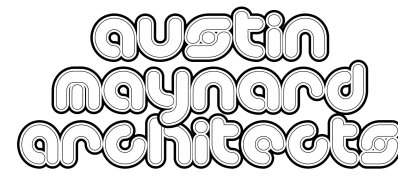
**TP-205**

**A**  
 REVISION

Legend	
	hatch denotes area of demolition
<b>BR-1</b>	brick - grampian blue
<b>BR-2</b>	recycled brick
<b>TC-1</b>	natural timber cladding
<b>TB</b>	natural timber batten
<b>P-1</b>	white paint finish
<b>SL</b>	slate
<b>GR</b>	green roof (non-habitable)
<b>SC</b>	screening (louvre)
g.	clear glass



01 Proposed | South Elevation  
1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd

© Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**

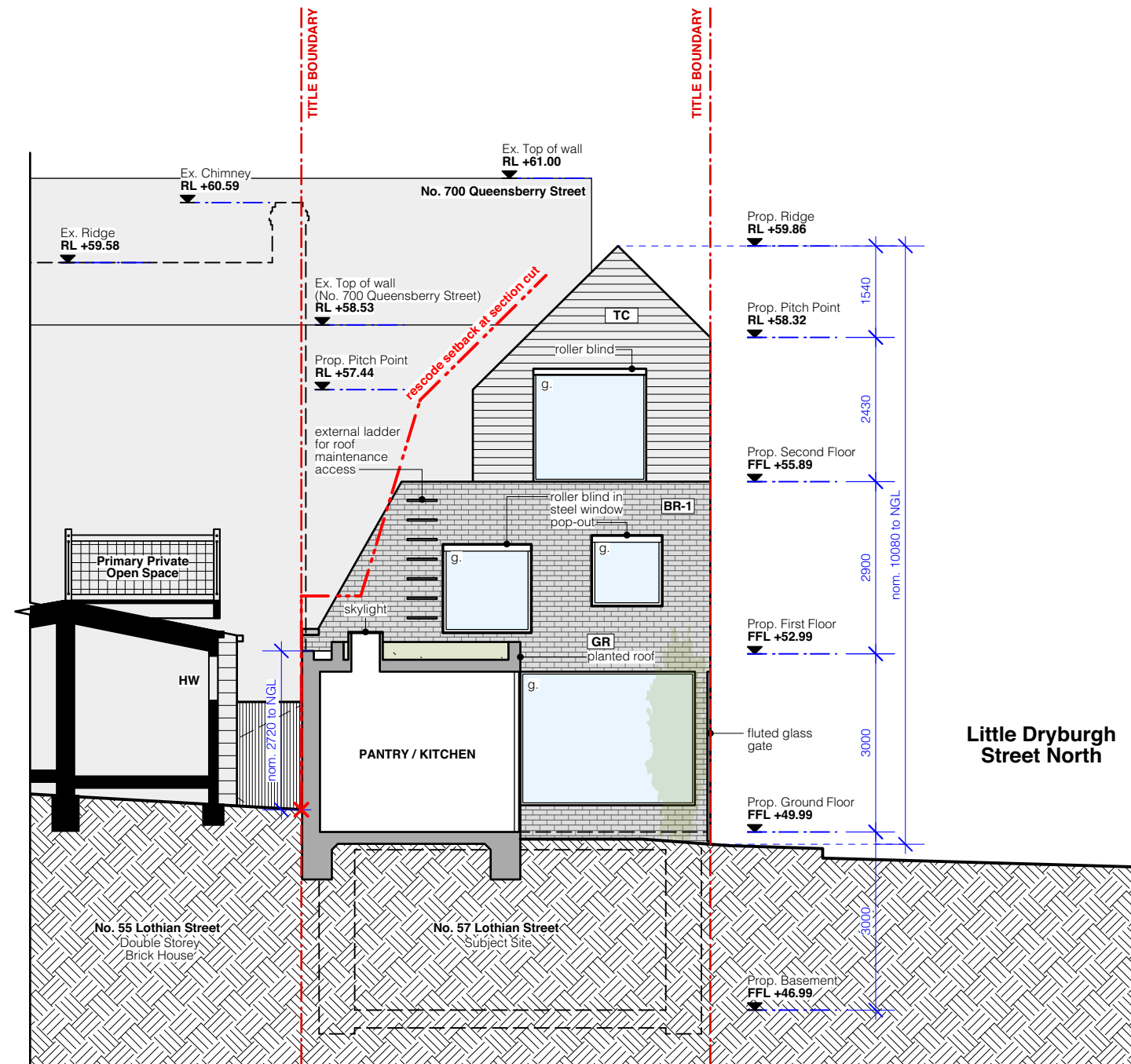
CLIENT  
Damian Plummer

DRAWING TITLE  
**Proposed South Elevation**

PROJECT #	200715	<b>TP-206</b>
DATE #	05.11.20	
SCALE @ A3	1:100	
DRAWN	ED	<b>B</b>
CHKD	MA	
ISSUE	DATE	REVISION
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission

REVISION

Legend	
	hatch denotes area of demolition
<b>BR-1</b>	brick - grampian blue
<b>BR-2</b>	recycled brick
<b>TC-1</b>	natural timber cladding
<b>TB</b>	natural timber batten
<b>P-1</b>	white paint finish
<b>SL</b>	slate
<b>GR</b>	green roof (non-habitable)
<b>SC</b>	screening (louvre)
g.	clear glass



01 Proposed | Section A  
1:100



**AUSTIN MAYNARD ARCHITECTS**

www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**

CLIENT  
 Damian Plummer

DRAWING TITLE  
**Proposed Section A**

B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

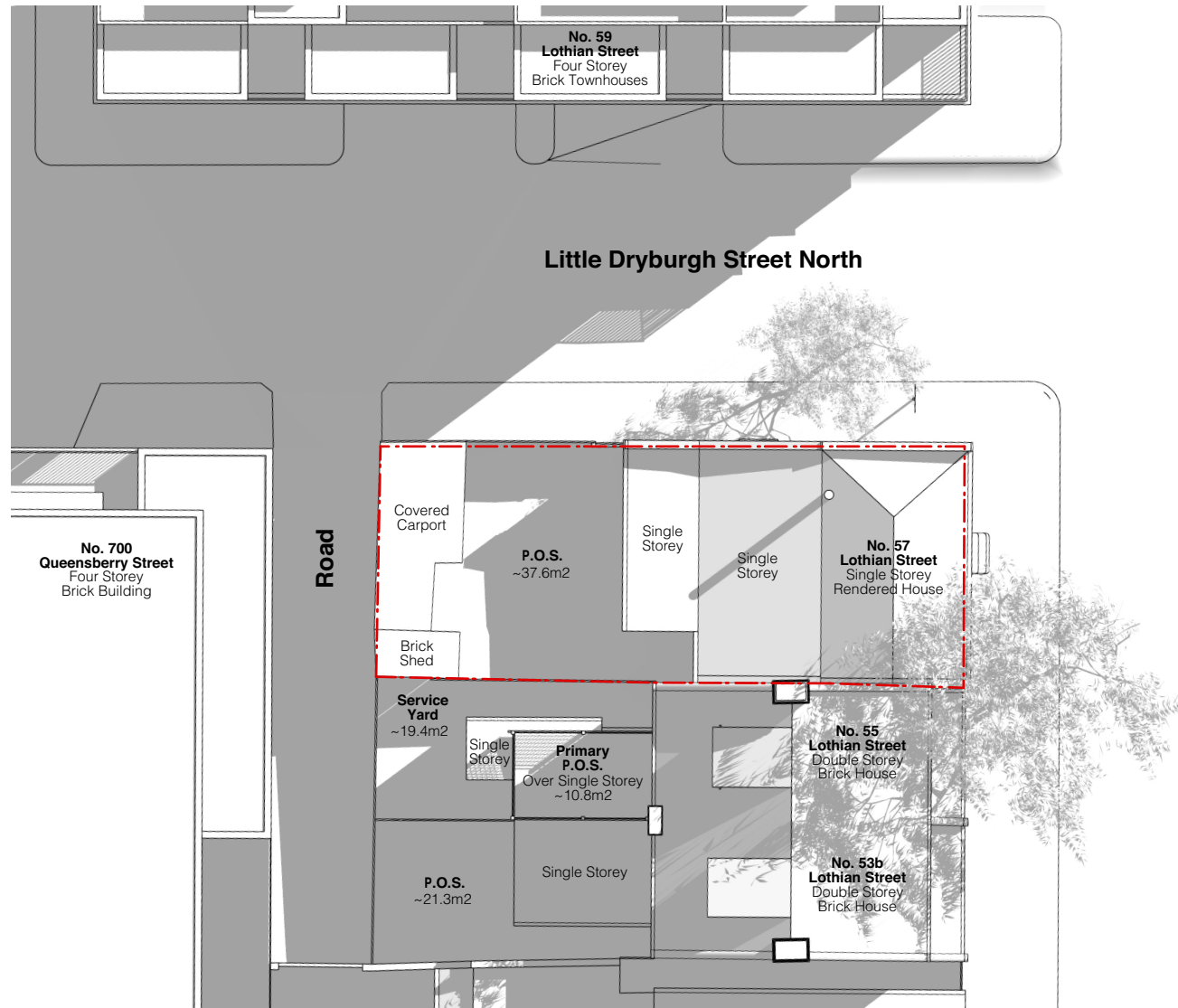
PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:100
DRAWN	ED
CHKD	MA

**TP-207**

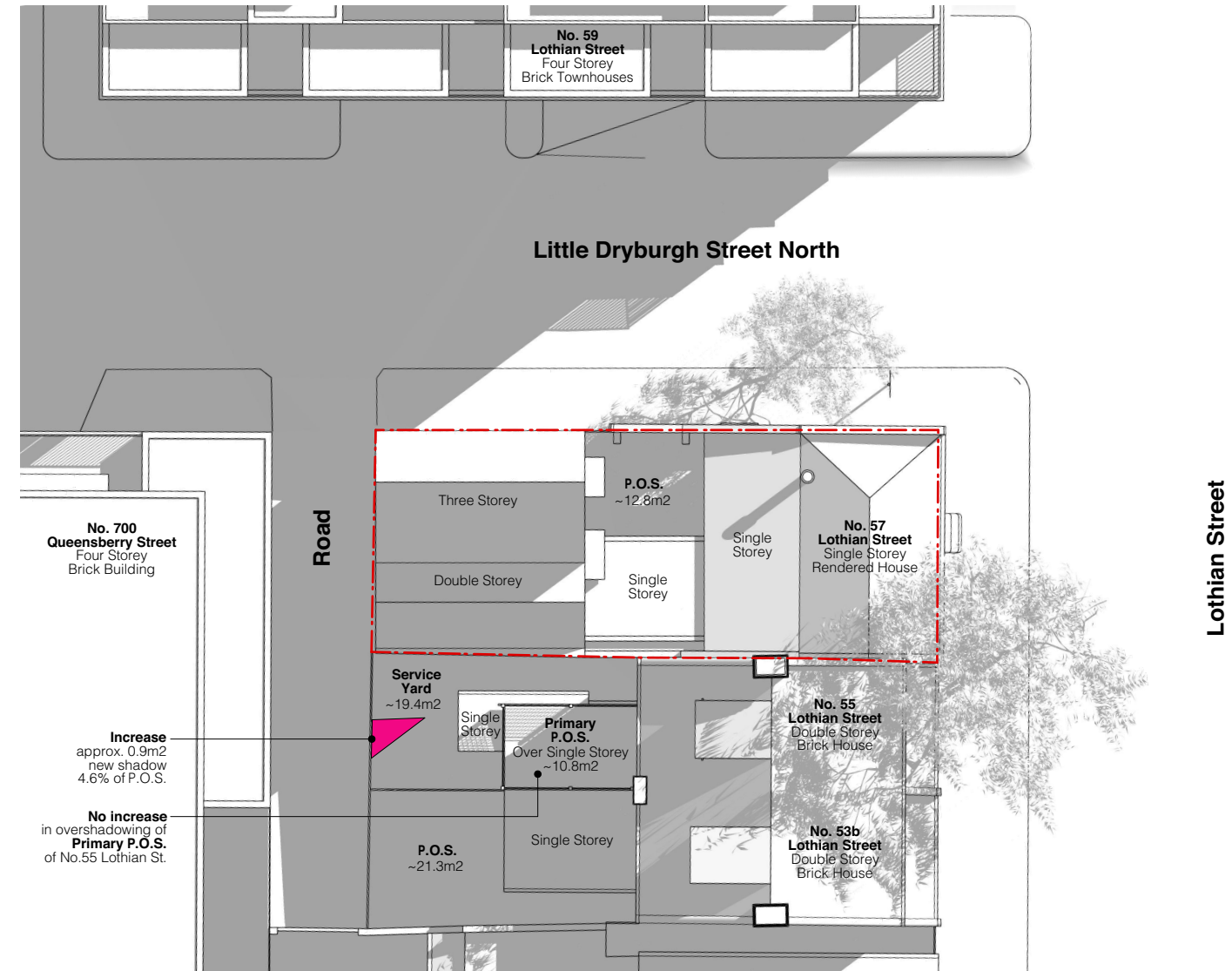
**B**  
 REVISION

**Legend**

- shadows
- new shadows created to neighbouring P.O.S.
- new shadows removed to neighbouring P.O.S.



01 Existing Shadows | 9am September 22nd  
1:200



02 Proposed Shadows | 9am September 22nd  
1:200



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**  
 CLIENT  
Damian Plummer

DRAWING TITLE  
**Shadow Analysis Diagrams - 9am September 22nd**



B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

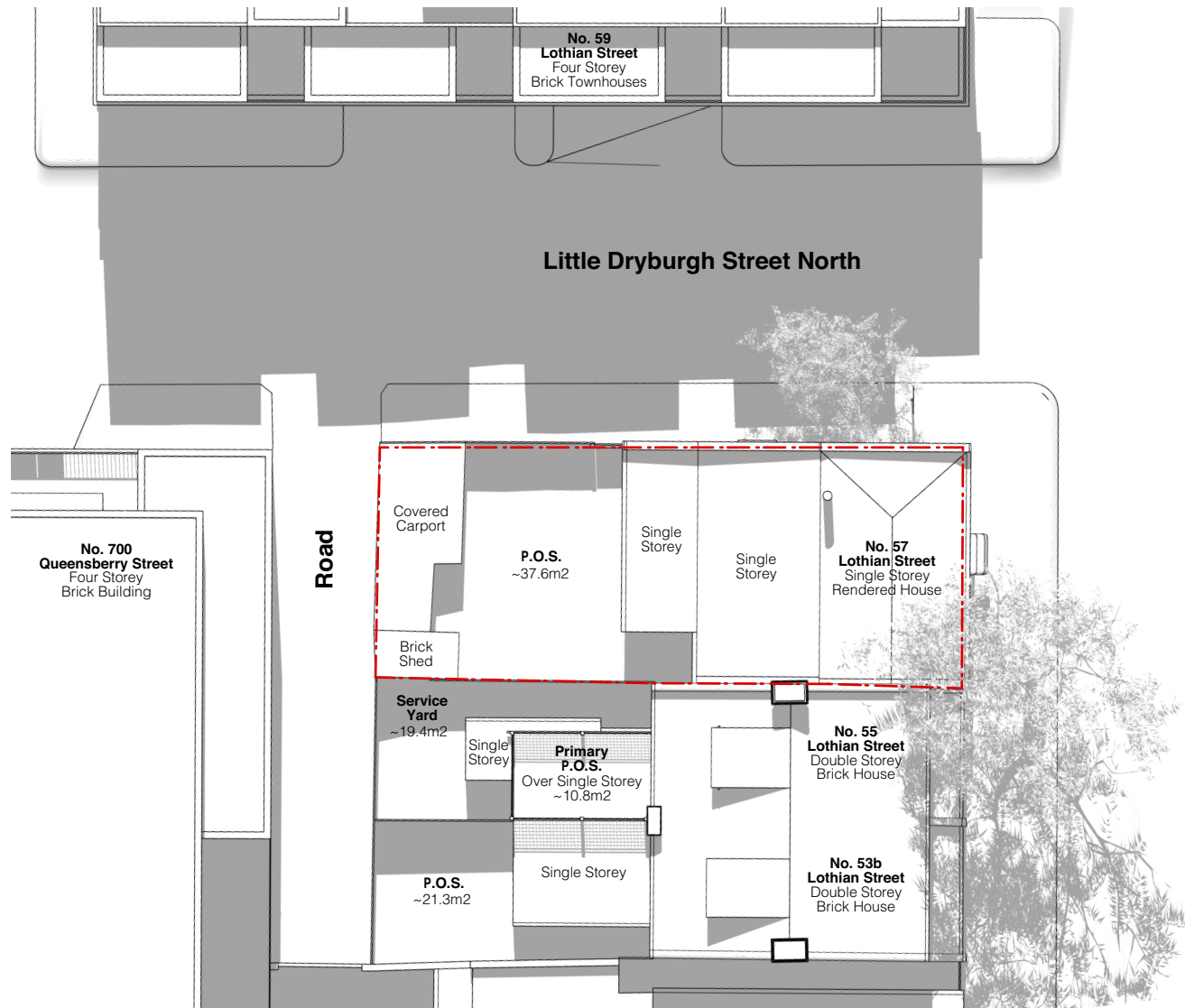
PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:200
DRAWN	ED
CHKD	MA

**TP-301**

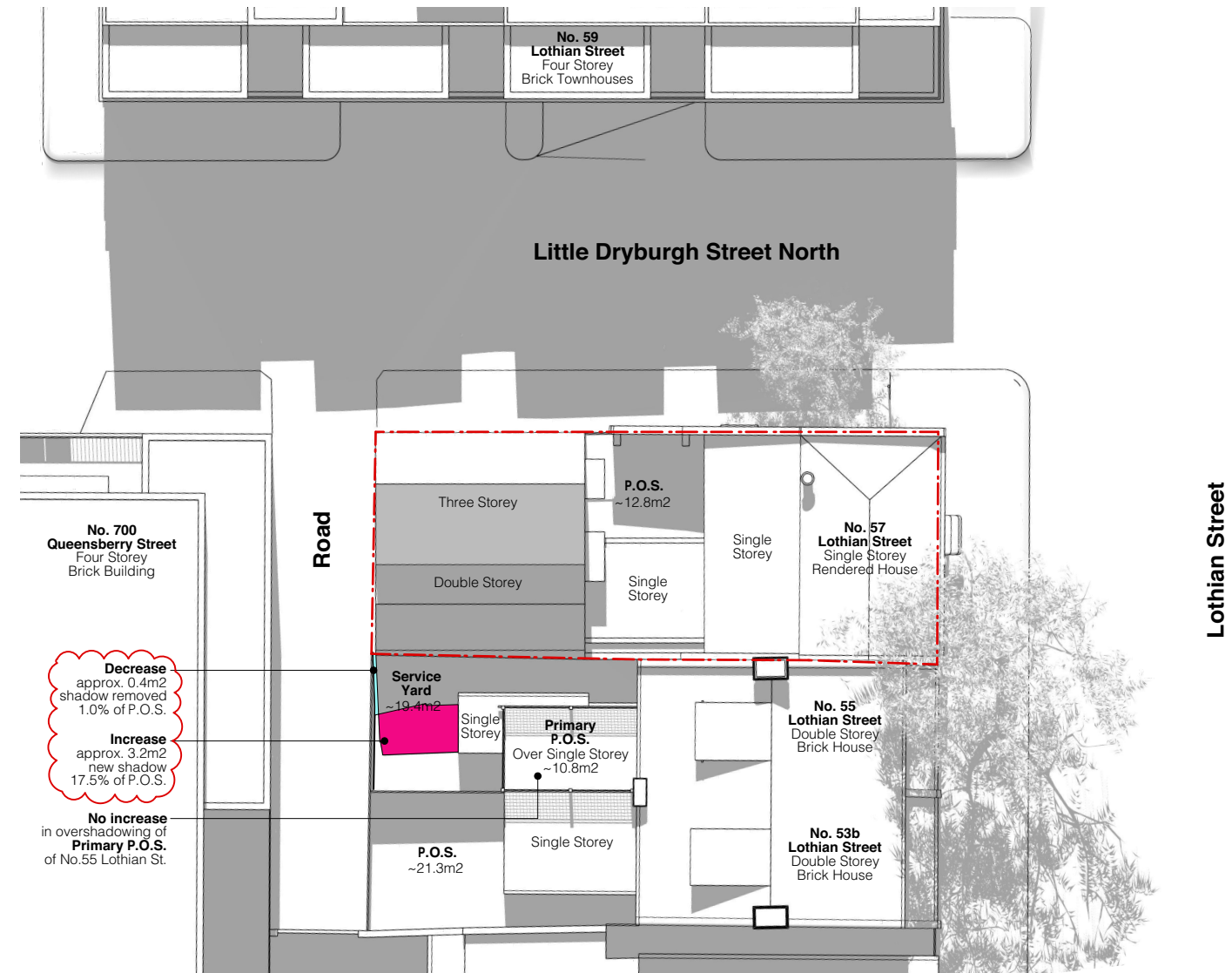
**B**  
REVISION

**Legend**

- shadows
- new shadows created to neighbouring P.O.S.
- new shadows removed to neighbouring P.O.S.



01 Existing Shadows | 12pm September 22nd  
1:200



02 Proposed Shadows | 12pm September 22nd  
1:200



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**  
 CLIENT  
Damian Plummer

DRAWING TITLE  
**Shadow Analysis Diagrams - 12pm September 22nd**



B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

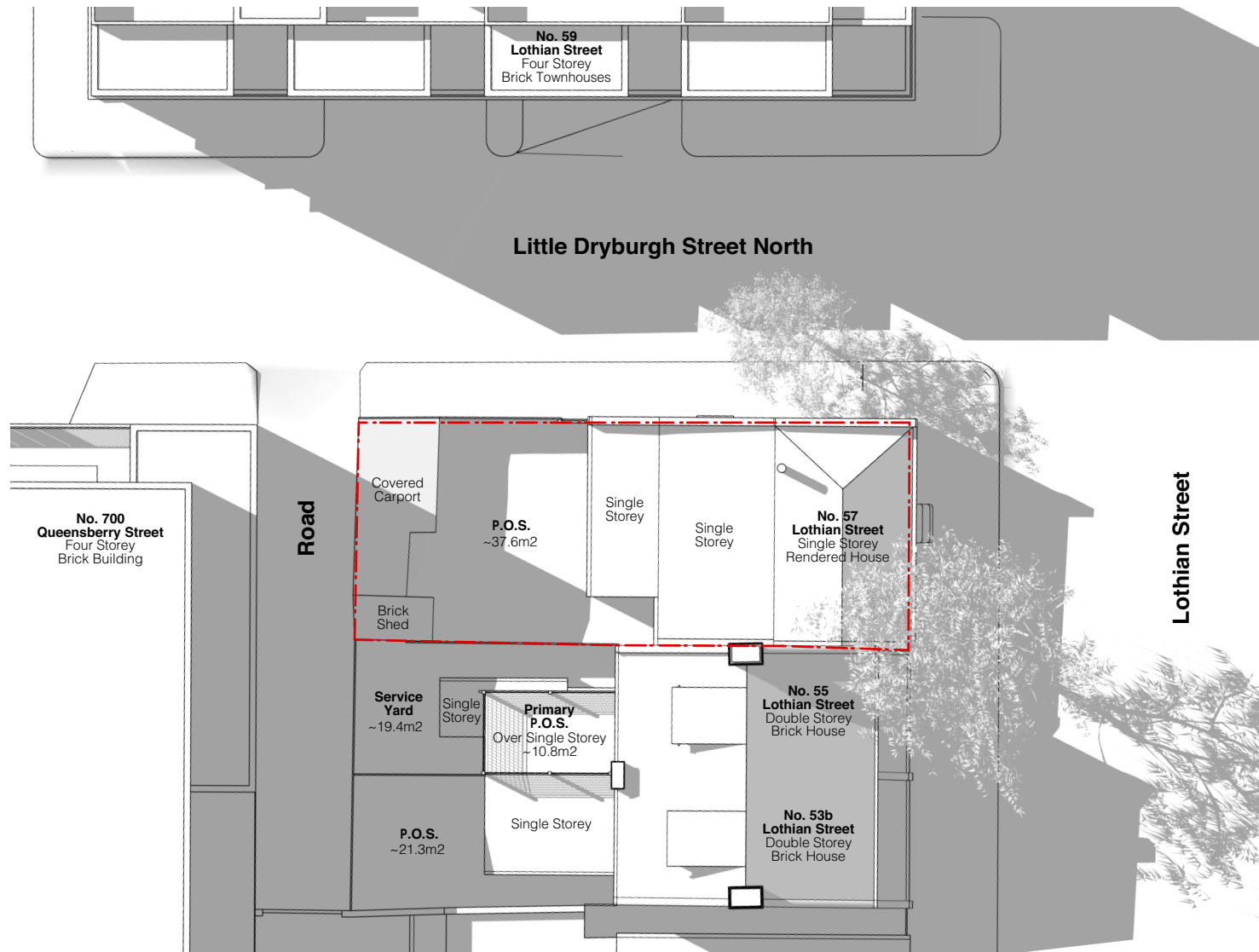
PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:200
DRAWN	ED
CHKD	MA

**TP-302**

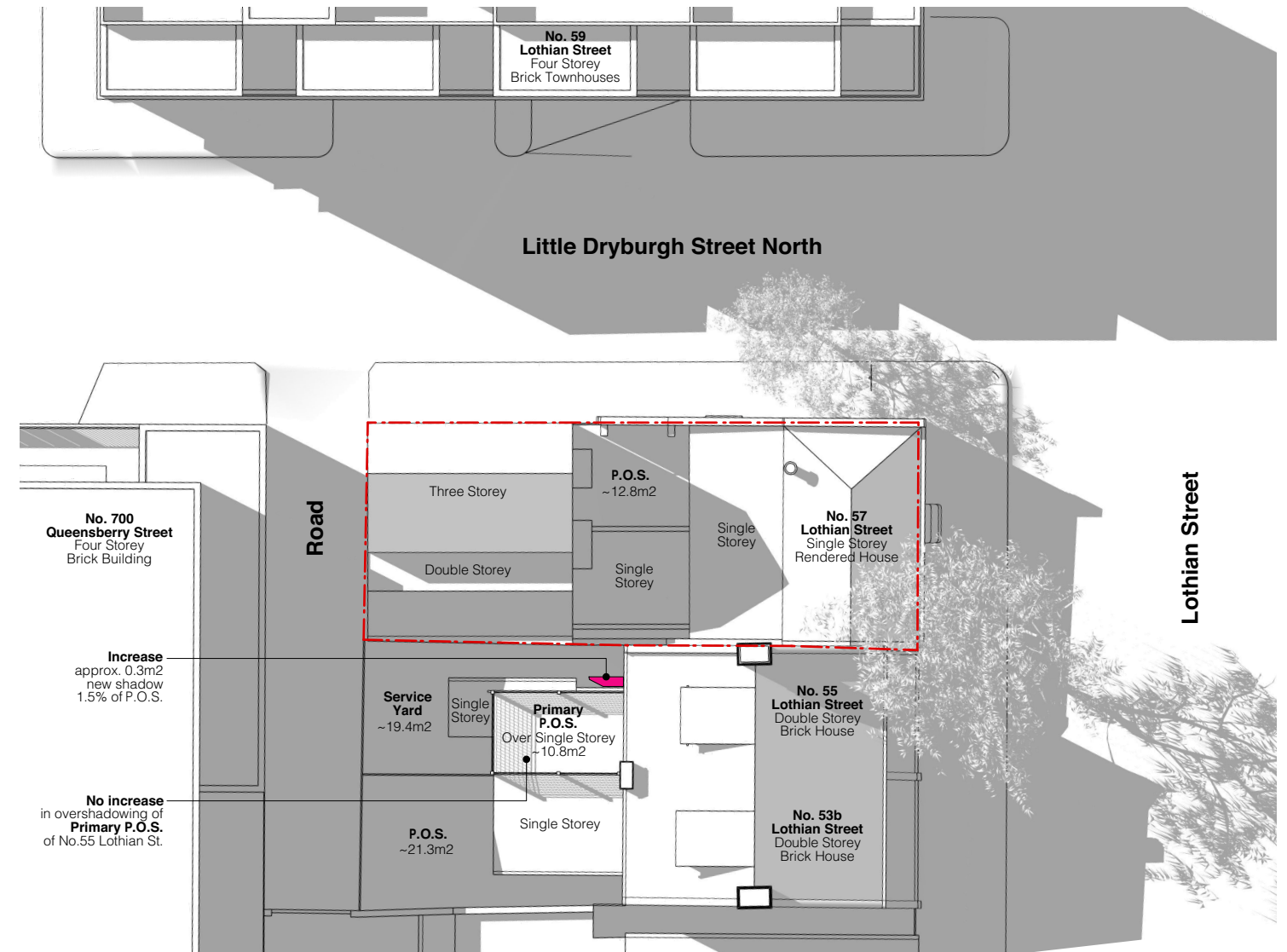
**B**  
REVISION

**Legend**

- shadows
- new shadows created to neighbouring P.O.S.
- new shadows removed to neighbouring P.O.S.



01 Existing Shadows | 3pm September 22nd  
1:200



02 Proposed Shadows | 3pm September 22nd  
1:200



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.

PROJECT  
**LOTHIAN**  
 CLIENT  
Damian Plummer

DRAWING TITLE  
**Shadow Analysis Diagrams - 3pm September 22nd**



B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission
ISSUE	DATE	REVISION

PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:200
DRAWN	ED
CHKD	MA

**TP-303**

**B**  
REVISION





Street View: Looking west across Lothian Street looking at subject site



Street View: Corner of Lothian Street and Little Dryburgh Street North looking across at subject site



Street View: Looking south across Little Dryburgh Street North at subject site



Street View: Looking south-east across Little Dryburgh Street North at subject site



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: **(+61) 0497 020 635**  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects  
 is the trading name of  
 Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard  
 Architects Pty Ltd and are not to be reproduced without  
 written approval. Figured dimensions take precedence  
 over scaled. If required, refer to architects for further  
 information.


PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**3D Images**

A	23/2/21	TP Submission
ISSUE	DATE	REVISION

PROJECT #	200715
DATE #	05.11.20
SCALE @ A3	1:100
DRAWN	ED
CHKD	MA

**TP-401**

**A**  
 REVISION

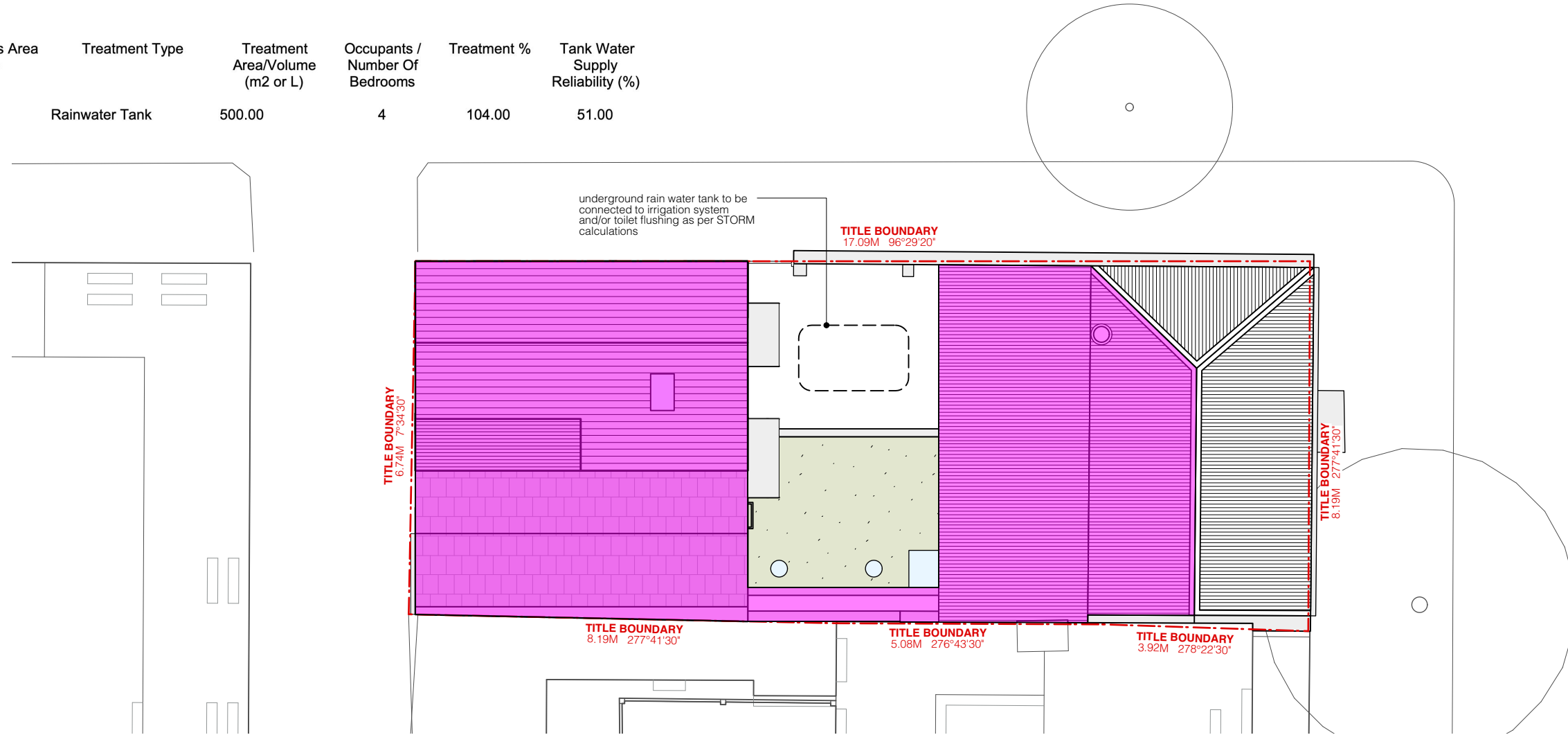
**Legend**  
 denotes area of roof diverted to rainwater tank

TransactionID: 1084667  
 Municipality: MELBOURNE  
 Rainfall Station: MELBOURNE  
 Address: 57 Lothian Street

North Melbourne  
 VIC 3051

Assessor:  
 Development Type: Residential - Extension  
 Allotment Site (m2): 118.00  
 STORM Rating %: 104

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Selected Roofs	75.40	Rainwater Tank	500.00	4	104.00	51.00



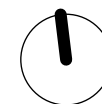
01 STORM Calculations Plan  
 1:100



**AUSTIN MAYNARD ARCHITECTS**  
 www.maynardarchitects.com  
 info@maynardarchitects.com  
 Phone: (+61) 0497 020 635  
 77 Argyle St, Fitzroy  
 VIC, 3068, AUSTRALIA  
 ABN: 1911 74 80 636

Austin Maynard Architects is the trading name of Andrew Maynard Architects Pty Ltd  
 © Andrew Maynard Architects  
 These drawings are the copyright of Andrew Maynard Architects Pty Ltd and are not to be reproduced without written approval. Figured dimensions take precedence over scaled. If required, refer to architects for further information.

PROJECT  
**LOTHIAN**  
 CLIENT  
 Damian Plummer  
 DRAWING TITLE  
**STORM Calculations**

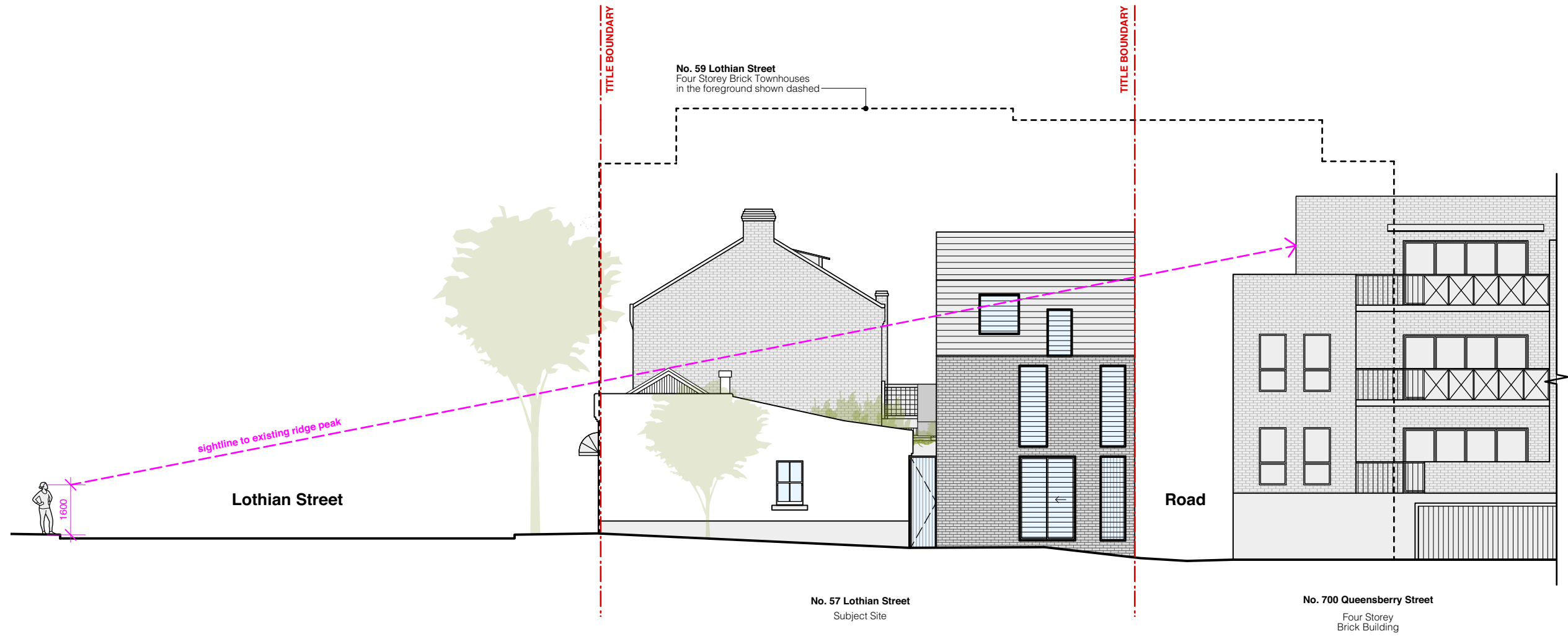


ISSUE	DATE	REVISION
B	29/6/21	Revisions in response to civil design comments
A	23/2/21	TP Submission

PROJECT # 200715  
 DATE # 05.11.20  
 SCALE @ A3 1:100  
 DRAWN ED  
 CHKD MA

**TP-402**

**B**  
 REVISION



01 Proposed Sightline Diagram | North Elevation  
1:150

## DELEGATE REPORT PLANNING PERMIT APPLICATION

<b>Application number:</b>	<b>TP-2021-106</b>
<b>Applicant:</b>	Mr Damian Plummer and Ms Linh Plummer
<b>Owner:</b>	Mr Damian Plummer and Ms Linh Plummer
<b>Architect:</b>	Andrew Maynard Architects
<b>Address:</b>	57 Lothian Street, NORTH MELBOURNE VIC 3051
<b>Proposal:</b>	Partial demolition and buildings and works associated with alterations and construction of additions to a single dwelling
<b>Date of application:</b>	2 March 2021
<b>Responsible officer:</b>	Daniel Sanfilippo

### 1 SUBJECT SITE AND SURROUNDS

#### 1.1 Subject Site

The subject site at 57 Lothian Street, North Melbourne (the Site) is located on the south-west corner of the intersection of Lothian Street and Little Dryburgh Street North. Council laneway PT5223 abuts the Site to the west.

The site is formally known as Lot 1 on Title Plan 372184V. There are no covenants or easements registered on title.

Rectangular in shape the Site has a frontage of 8.19 m to Lothian Street, a frontage of 17.09 m to Little Dryburgh Street North, resulting in a total site area of approximately 118 m<sup>2</sup>.

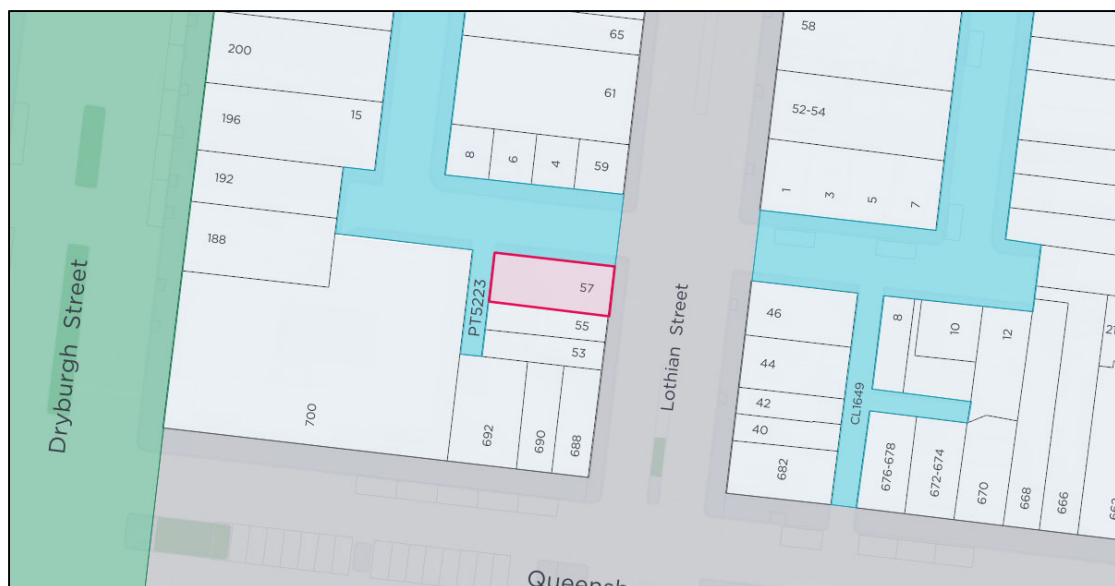


Figure 1 - The Site Locality Plan



Figure 2 - The Site and Surrounds

The site is currently developed with a Mid-Victorian era single storey rendered brick building used as a dwelling. The building has a corrugated galvanised steel hipped roof to the front, with a skillion section at the rear. The building's Lothian Street facade has a central entrance door flanked by timber framed, double-hung sash windows with projecting sills. The facade is relieved by quoining. There is a single similarly constructed window to the Little Dryburgh Street North façade.



Figure 3 - The Site Lothian Street Frontage

The building is nominated as a significant building within the Melbourne Planning Scheme incorporated document Heritage Places Inventory February 2020 Part A (Amended May 2021). The streetscape is not identified as significant within the inventory.

The building's statement of significance states:

*The house at 57 Lothian Street, North Melbourne, is of historical and aesthetic importance. Erected in 1867, it is a typical example of a simple worker's cottage, and demonstrates a particularly early phase of residential settlement in the area. Aesthetically, the house is a good example of a simple, mid-Victorian composition*

An area of private open space is located at the rear of the building, with a carport and brick shed built to the rear boundary.



Figure 4 - The Site Little Dryburgh Street North Frontage

## 1.2 Surrounds

The land uses surrounding the Site are mixed in nature, with a range of building typologies in the immediate vicinity. The surrounding streetscapes comprise a mix of period and contemporary buildings used for both residential and commercial purposes.

Buildings generally range in height from 1-4 storeys. The buildings to the north and west of the Site are both 4 storey, contemporary, multi-unit residential developments (see Figure 5 and 6).

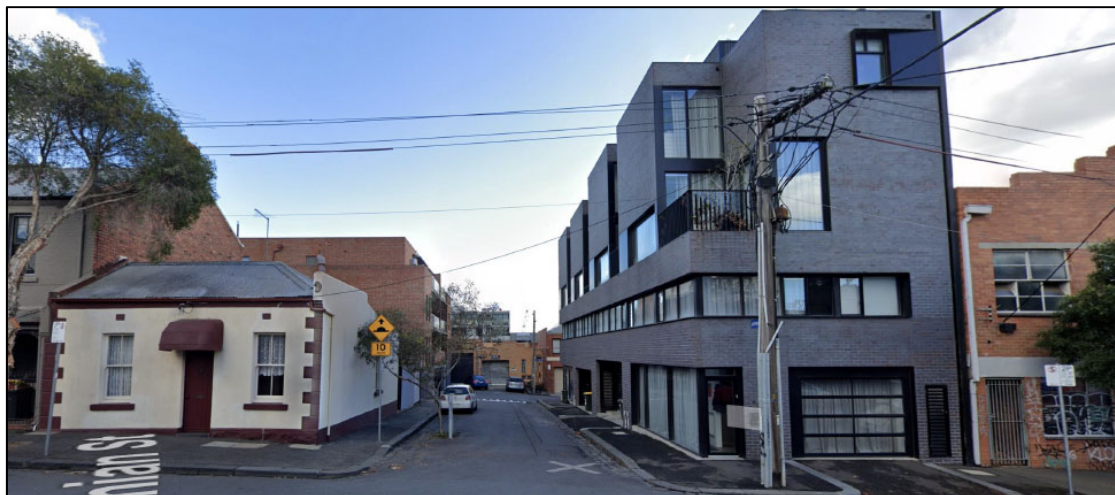


Figure 5 - The Site and 59 Lothian Street



Figure 6 - Building West of the Site (700 Queensberry Street, North Melbourne)

The Site has one direct residential abuttal, being the property to the south at 55 Lothian Street. The property is developed with a double storey, rendered brick terrace dwelling, forming one of a pair with the adjacent dwelling at 53 Lothian Street (see Figure 7).

The double storey dwelling is built to both side boundaries, with a small front setback front veranda present. The dwelling contains a single storey portion at the rear with a first floor terrace above. A secondary area of private open space is located at ground level at the rear of the dwelling.

The building is nominated as a Contributory building within the Melbourne Planning Scheme incorporated document Heritage Places Inventory February 2020 Part A.

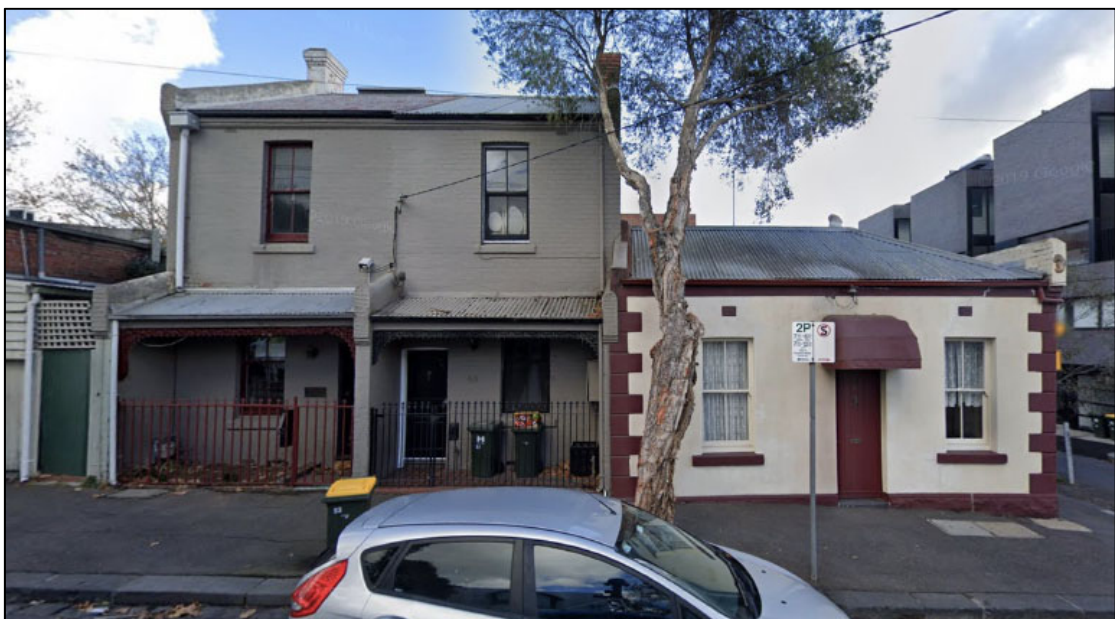


Figure 7 - View of Lothian Street (site on right)

## **2 BACKGROUND AND HISTORY**

### **2.1 Pre-application Discussions**

Pre-application advice was sought from Council planning officers prior to lodging this planning permit application (PA-2020-458).

### **2.2 Planning Application History**

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

### **2.3 Amendments During Assessment**

The plans that were submitted at the time of lodging the planning permit application were formally amended pursuant to section 57A of the *Planning and Environment Act 1987*.

The section 57A amendment was submitted to Council on 29 June 2021 and made design changes in line with advice provided by the City of Melbourne's Engineering Services and Planning officers and included:

- Building sited closer to the west boundary to achieve a continuous rear building alignment.
- 130 mm step in southern boundary removed.
- Window shrouds to west elevation removed.

## **3 PROPOSAL**

This permit application seeks planning approval for partial demolition and buildings and works associated with alterations and construction of additions to a single dwelling on the Site.

The plans which have been considered in this planning assessment are prepared by Austin Maynard Architects dated June 2021, plan reference TP101 – TP403.

The proposed works include:

- Demolition, including:
  - Rear portion of the dwelling, including skillion roof structure, not including the boundary walls on north and south boundary.
  - Outbuildings, including brick shed and covered carport.
  - Galvanised iron boundary fence along north and west boundary.
- Buildings and works associated with additions to the existing dwelling, including:
  - Construction of a 3 storey plus basement rear addition, connected to the original building through a single storey central link.
  - The ground floor of the addition will comprise a kitchen and living area opening up to a 12.8 m<sup>2</sup> central courtyard bounded by the existing wall on the north boundary to be retained.
  - Reconstruction of the skillion roof structure, to a shorter extent than that previously.
  - The ground floor addition is built to the south boundary for its entire length.
  - The 3 storey addition is built to the north and west boundary, with raked wall along the southern boundary.



- A fluted glass gate is proposed along the north boundary for access to Little Dryburgh Street North and a glass door is proposed to the rear laneway.
- A non-trafficable green roof is proposed above the central link.
- The addition will feature a mix of face brick, timber cladding and slate materials.
- Installation of rooftop solar energy facility.
- Installation of a 500 litre underground rainwater tank within the secluded private open space, to be connected for toilet flushing and watering of the garden beds.
- Buildings and works associated with alterations to the existing dwelling, including:
  - Removal of the glazing panels to the three existing timber framed, double-hung sash windows and replacement with new double glazing in existing frame.
  - Removal of the existing flue to the roof of the front portion of the dwelling and replacement with new, shorter flue.
  - External painting of the existing dwelling, including:
    - Rendered brickwork façade in white paint finish.

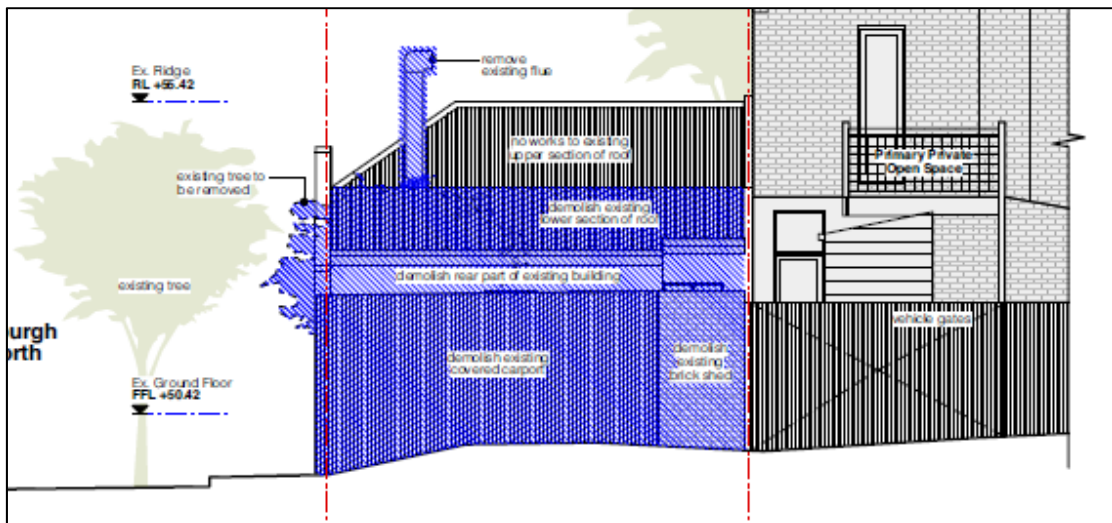


Figure 8 - West Elevation Demolition

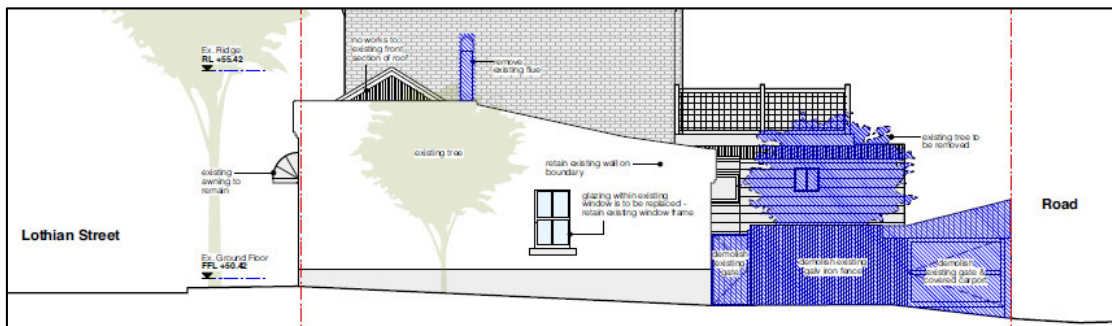


Figure 9 - North Elevation Demolition

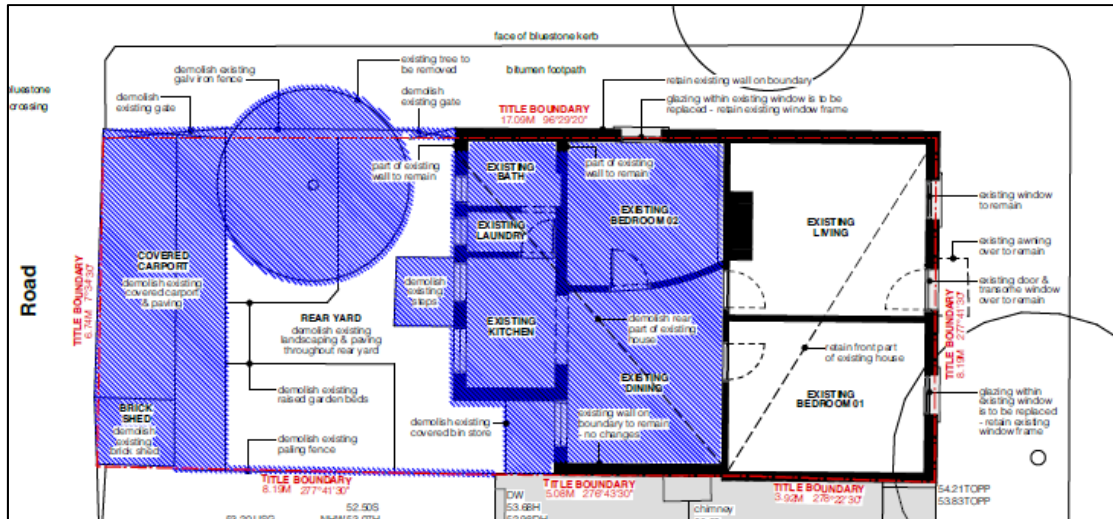


Figure 10 - Ground Floor Demolition Plan

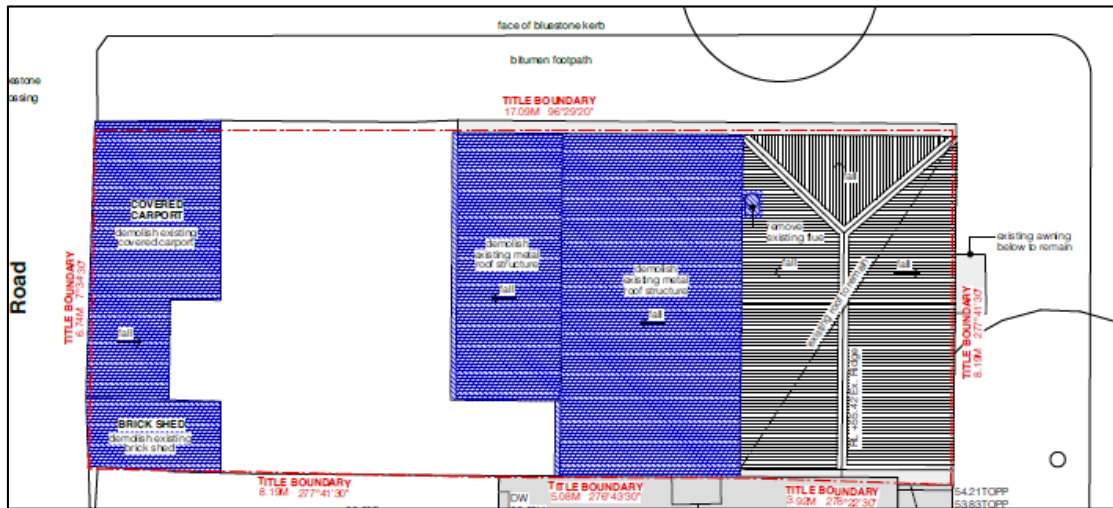


Figure 11 - Roof Demolition Plan

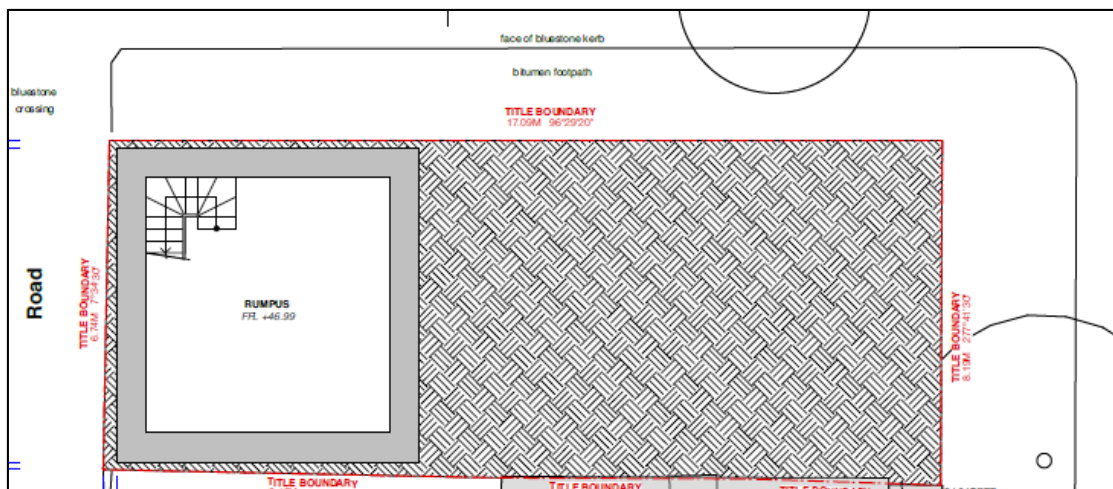


Figure 12 - Proposed Basement Floor Plan

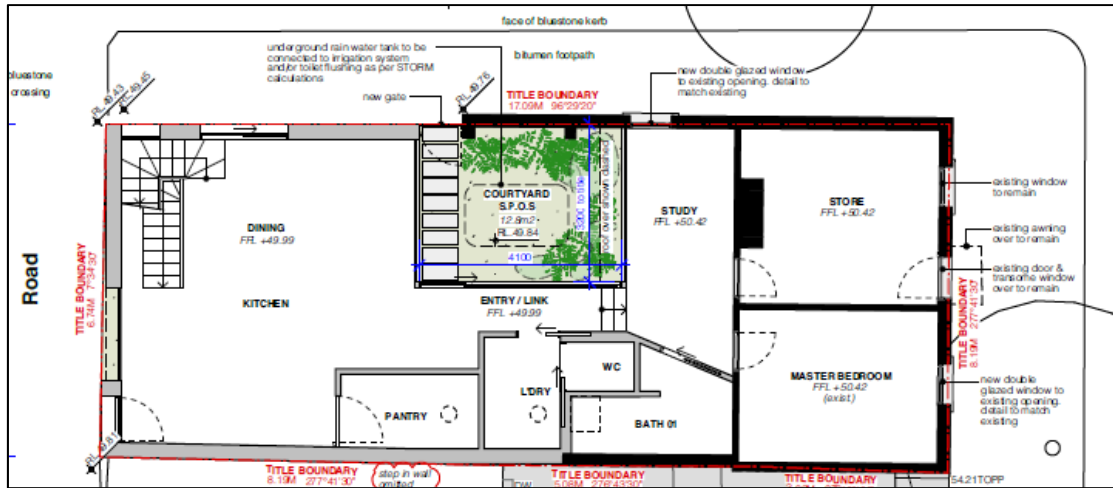


Figure 13 - Proposed Ground Floor Plan

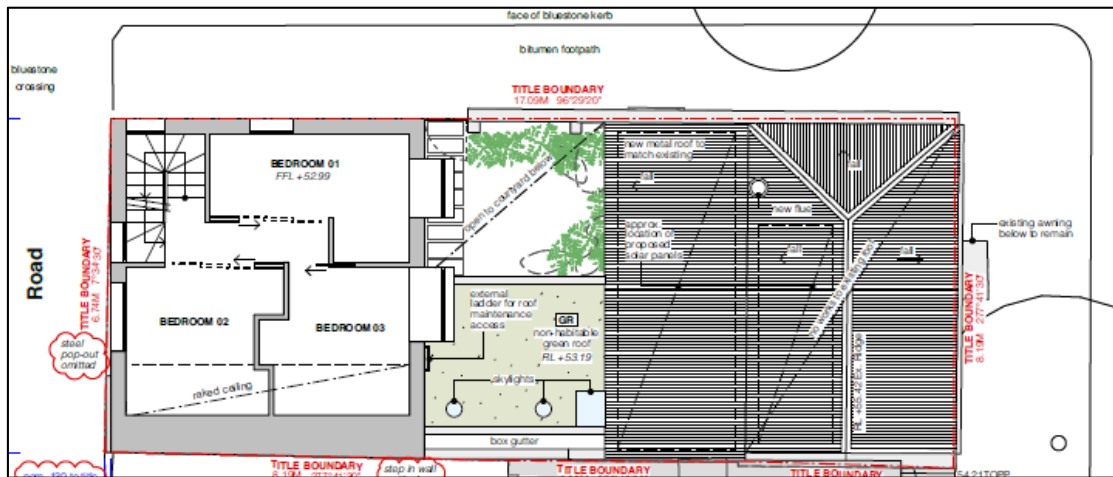


Figure 14 - Proposed First Floor Plan

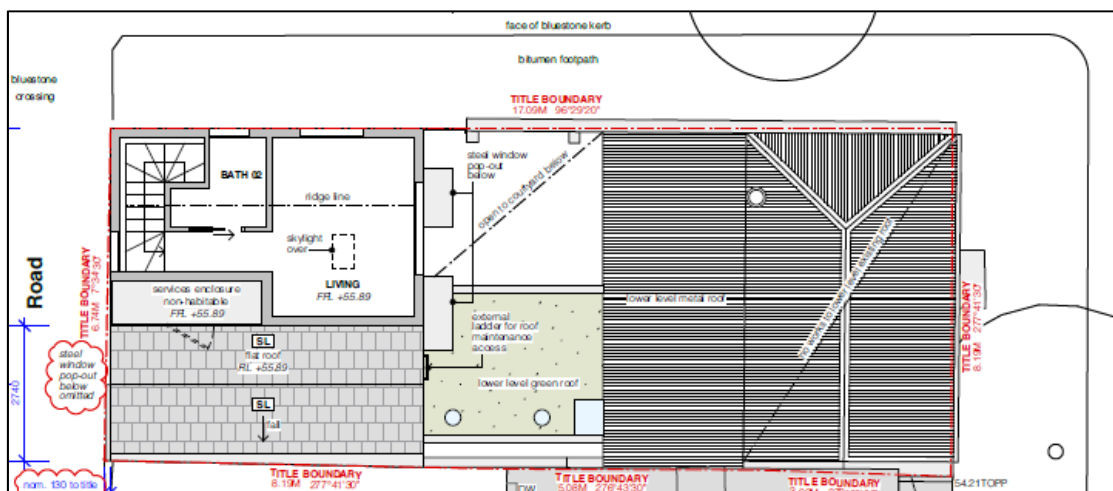


Figure 15 - Proposed Second Floor Plan

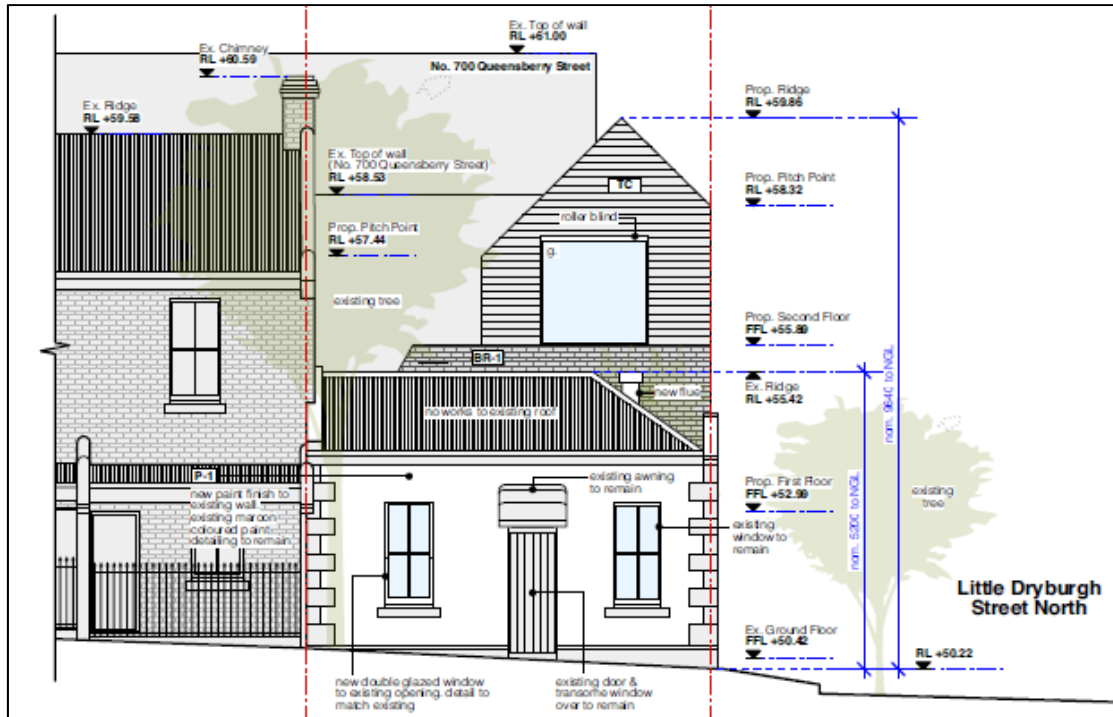


Figure 16 - Proposed East Elevation



Figure 17 - Proposed North Elevation

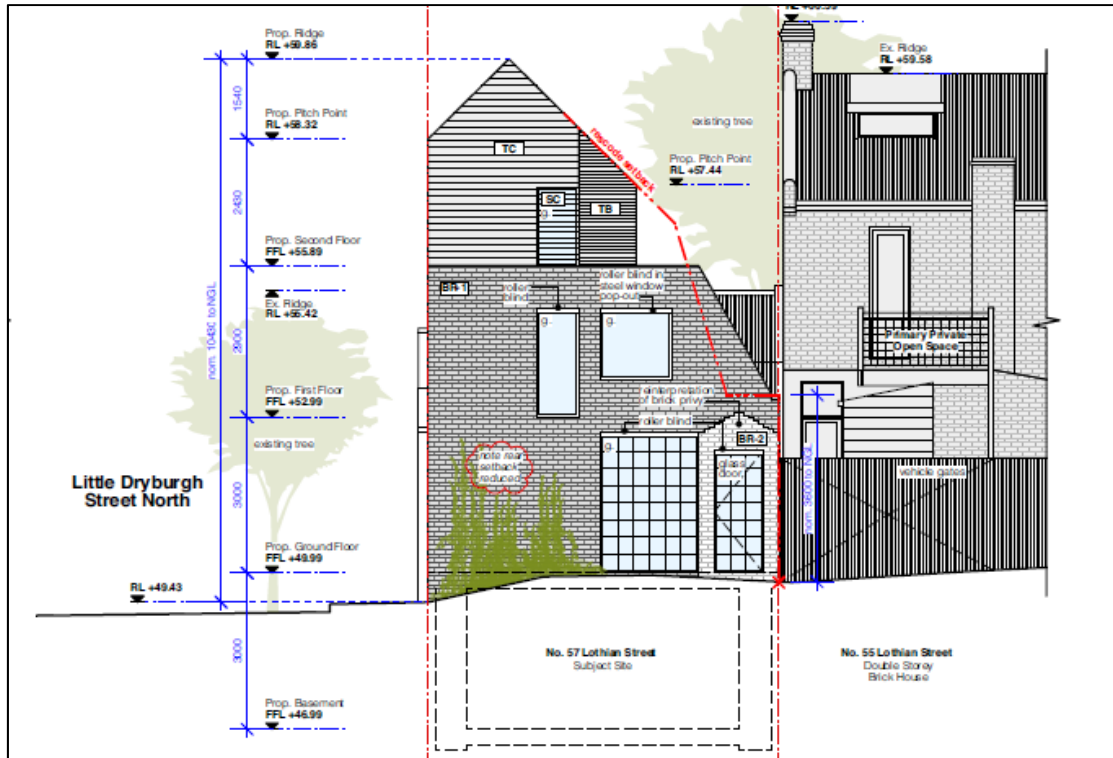


Figure 18 - Proposed West Elevation

#### 4 STATUTORY CONTROLS

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

Clause	Permit Trigger
<p><b>Clause 32.04 – Mixed Use Zone</b></p>	<p><b><u>Buildings and Works – Permit Required</u></b></p> <p>Pursuant to Clause 32.08, a permit is required to construct or extend one dwelling on a lot of less than 300 m<sup>2</sup>. A development must meet the requirements of Clause 54. Accordingly, a planning permit is required for the buildings and works associated with the proposal under this zone.</p> <p><b><u>Maximum Building Height Requirement</u></b></p> <p>Pursuant to Clause 32.04, a building must not be constructed that exceeds the maximum building height specified in a schedule to this zone. The schedule to Clause 32.04 does not specify a maximum building height.</p>
<p><b>Clause 43.01 – Heritage Overlay</b></p> <p>Schedule 3 – North and West Melbourne</p>	<p><b><u>Demolition and Buildings and Works – Permit Required</u></b></p> <p>Pursuant to Clause 43.01, a permit is required to:</p> <ul style="list-style-type: none"> <li>• Demolish or remove a building</li> <li>• Construct a building or construct or carry out works</li> <li>• Externally alter a building by structural work, rendering, sandblasting or in any other way.</li> </ul> <p>Accordingly, a permit is required for the demolition and buildings and works associated with the proposal under this overlay.</p>

<p><b>Clause 43.02 – Design and Development Overlay</b></p> <p>Schedule 26 – North Melbourne, West Melbourne and Arden Macaulay Noise Attenuation Area</p> <p>Schedule 32 – North Melbourne Peripheral</p> <p>Schedule 66 – Hospital Helicopter Flight Path Protection (Outer Area)</p>	<p><b><u>Buildings and Works – Permit Required</u></b></p> <p>Pursuant to Clause 43.02, a permit is required to construct a building or construct or carry out works unless a schedule to this overlay specifically states that a permit is not required.</p> <p>Schedules 26 to the overlay states that a permit is not required for buildings and works other than buildings and works associated with new, refurbished or converted developments for noise sensitive uses.</p> <p>Schedule 66 to the overlay states that a permit is not required to construct a building or to construct or carry out works that would result in the height of the building or works being less than the referral height specified in Table 1 (Royal Melbourne Hospital – 77.3 m).</p> <p>The proposal is not exempt under Schedule 32 to the clause.</p> <p>Accordingly a permit is required for the buildings and works associated with this proposal under Schedule 32 to this overlay.</p>
<p><b>Clause 45.09 – Parking Overlay</b></p> <p>Schedule 12 – Residential Development in Inner City Areas</p>	<p><b><u>Buildings and Works – No Permit Required</u></b></p> <p>Pursuant to Clause 45.09, a schedule to this overlay may vary the requirements of Clause 52.06 as allowed by this overlay.</p> <p>Schedule 12 to the overlay states that a permit is required to provide car parking spaces in excess of the maximum number specified in the Table to the schedule (1 space to each dwelling).</p> <p>Accordingly, a permit is not required for the proposal under this overlay.</p>

## 5 STRATEGIC FRAMEWORK

### 5.1 Planning Policy Framework (PPF)

The relevant provisions of the PPF are summarised as follows:

- Clause 15 – Built Environment and Heritage, including:
  - Clause 15.01 – Built Environment:
    - Clause 15.01-1S – Urban Design
    - Clause 15.01-1R – Urban Design – Metropolitan Melbourne
    - Clause 15.01-2S – Building Design
    - Clause 15.01-5S – Neighbourhood Character
  - Clause 15.02 – Sustainable Development:
    - Clause 15.02-1S – Energy and Resource Efficiency
  - Clause 15.03 – Heritage:
    - Clause 15.03-1S – Heritage Conservation

### 5.2 Local Planning Policy Framework (LPPF)

#### 5.2.1 Municipal Strategic Statement (MSS)

The relevant provisions of the MSS are summarised as follows:

- Clause 21.02 – Municipal Profile
- Clause 21.03 – Vision
- Clause 21.04 – Settlement

- Clause 21.06 – Built Environment and Heritage
- Clause 21.11 – Local Areas
- Clause 21.16 – Other Local Areas
  - Clause 21.16-5 – North and West Melbourne

### **5.2.2 Local Policies**

The relevant local policies are summarised as follows:

- Clause 22.05 – Heritage Places Outside the Capital City Zone
- Clause 22.17 – Urban Design Outside the Capital City Zone
- Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)

## **6 PARTICULAR PROVISIONS**

The following particular provisions apply to the application:

- Clause 54 – One Dwelling on a Lot

## **7 GENERAL PROVISIONS**

The following general provisions apply to the application:

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

## **8 PUBLIC NOTIFICATION**

### **8.1 Notice of the Lodged Application**

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 two notices on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

### **8.2 Notice of the s57A Amendment Application**

Notice of the section 57A amended application received on 29 June 2021 was not given under section 57B of the Act as the changes made:

- Did not principally alter the proposal as originally advertised.
- Directly responded to comments made by Council's Engineering Services team.

## **9 OBJECTIONS**

The application has not received any objections at the time of this report.

## **10 REFERRALS**

### **10.1 Internal**

#### **10.1.1 Urban Design**

Prior to lodgement, pre-application advice was sought on the proposal. The plans were referred to the City of Melbourne's Urban Designers who provided the following comments on the proposed works:

- **Assessment**

*A 3 storey addition is proposed to the rear of the site, interfacing with Little Dryburgh Street North and a rear residential laneway. A central courtyard is proposed between the existing heritage building on site, and the proposed addition, providing a substantial setback to the new addition from the heritage form and street frontage. We note that the proposed mass is in line with surrounding 3 storey buildings.*

*The consideration of an angled roof form to protect overshadowing is supported, as it also puts forward a contextual profiled roof form.*

*Considering the above, we have no significant concerns with the proposed mass in terms of the effect on the urban design of the building or immediate area; however, we defer to planning for assessment against the requirements of the DDO and Rescode.*

### **10.1.2 Heritage**

The permit application was referred to the City of Melbourne's Heritage Advisor who provided the following recommendations on the proposed works:

- **Recommendation**

*The proposal would be supported with two amendments:*

- *Retain the principal part of the building, complete with the roof.*
- *Retain original window joinery.*

#### Planner's Comments:

The applicant has formally amended the proposed development plans following assessment. The plans were not referred back to the Heritage Advisor for comment, noting it was of no consequence to the original assessment. Further discussion of the proposal and the heritage impact to the dwelling and the surrounding streetscape is provided in the assessment section of this report.

### **10.1.3 Civil Design**

The permit application was referred to the City of Melbourne's Civil Engineering team who provided comments on the proposed works and required conditions to be included on any permit issued:

- **Assessment**

*The existing building is subject to a heritage overlay and it is slightly encroaching into Little Dryburgh Street North. We requested for the provision of the smooth transition between the building walls to provide safe environment for visually impaired people using building line as a direction of travel.*

*The existing fence adjacent to the rear of the subject land is slightly encroaching into the road reserve. However, the new building is designed with a setback from the title boundary of the site and it does not create continuous building alignment along the street. The building should be redesigned to provide continuous building alignment along the laneway.*

*The provision of the pedestrian access into the building from the rear laneway requires reconstruction of the laneway in the surface pavement providing safe pedestrian access into the building. We have no objection to the reconstruction of the half of the laneway adjoining to the site in new sawn bluestone pavers. The top of the existing bluestone pavers shall be cut and the pavers reinstalled along the laneway. The smooth surface pavement will*



*allow the provision of the safe pedestrian access into the building and retain the laneway amenity.*

- **Conditions**
  - *Drainage system provision*
  - *Street levels not to be altered*
  - *Groundwater management*
  - *Roads*
  - *Footpaths.*

Planner's Comments:

The applicant has formally amended the proposed development plans addressing the concerns raised. The plans were not referred back for comment, noting the amendments were considered in consultation with the Civil Engineering team.

The above conditions will be included on any permit that may issue.

## **10.2 External**

The application was not required to be referred to any external Referral Authority.

## **11 ASSESSMENT**

This application seeks approval for partial demolition and buildings and works associated with alterations and construction of additions to a single dwelling on the Site.

The key issues for consideration in the assessment of this application include the appropriateness of the proposed demolition, alterations and additions to the existing dwelling having regard to:

- The objectives and policies of Clause 22.05 (Heritage Places Outside the Capital City Zone)
- The objectives and policies of Clause 22.17 (Urban Design Outside the Capital City Zone)
- The design objectives and built form requirements of Schedule 32 to Clause 43.02 (Design and Development Overlay)
- The standards and objectives of Clause 54 (One Dwelling on a Lot)
- Other local policy as applicable.

### **11.1 Clause 22.05 – Heritage Places Outside the Capital City Zone**

The existing dwelling is nominated as a Significant building within the Melbourne Planning Scheme incorporated document Heritage Places Inventory February 2020 Part A.

Clause 22.05 defines a significant heritage place as:

A significant heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and / or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.

The proposal has been assessed against the relevant performance standards of Clause 22.05 as follows:

### 11.1.1 Demolition

It is policy that:

- Full demolition of significant or contributory buildings will not generally be permitted.
- Partial demolition in the case of significant buildings, and of significant elements or the front or principal part of contributory buildings will not generally be permitted.
- Retention of the three dimensional form is encouraged; facadism is discouraged.
- The adaptive reuse of a heritage place is encouraged as an alternative to demolition.
- A demolition permit not be granted until the proposed replacement building or works have been approved.
- Fences and outbuildings which contribute to the cultural significance of the heritage place are not demolished.

#### Assessment:

The proposal includes demolition of the galvanised iron boundary fence along the north and west boundary, along with the rear outbuildings including brick shed and carport. The fences and outbuildings are not considered original heritage fabric and do not contribute to the character or significance of the building. Accordingly, the proposed demolition of this fabric is considered appropriate.

The proposal also includes partial demolition of the rear portion of the dwelling, including internal walls and skillion roof. The proposal retains the front two rooms fronting Lothian Street including gable roof, along with the building's Little Dryburgh Street North façade being retained in its entirety, including the existing window.

The height of the parapet to the boundary wall along Little Dryburgh Street North means that the skillion roof proposed to be removed is generally concealed from the public realm. The skillion roof structure is in poor structural condition and requires upgrading.

The retention of the north boundary wall in its entirety is supported, ensuring that the character and appearance of the building from the public realm remains intact. The proposal includes reconstruction of the skillion roof, in the same profile and materials as the existing, with the west wall being brought forward marginally.

The retained boundary wall, along with the reconstructed ground floor and skillion roof will ensure that the building's three dimensional form is maintained, while also acting to conceal the ground floor additions along the southern boundary. It is considered that the proposal retains the primary elements of the dwelling to ensure its interpretability and contribution to the precinct is maintained.

Accordingly, the proposed demolition is considered acceptable.

Notwithstanding the assessment above, a report by a structural engineer will be required to show how the retained portions of the dwelling will be supported during demolition and construction works. This can be resolved through a condition on any permit that may issue.

### 11.1.2 Alterations

It is policy that:

- External fabric which contributes to the cultural significance of the heritage place, on any part of a significant building, and on any visible part of a contributory building, should be preserved.
- Sandblasting of render, masonry or timber surfaces and painting of previously unpainted surfaces will not generally be permitted.

#### Assessment:

The proposal includes external painting of the retained heritage dwelling. The painting of the heritage building is considered acceptable given the dwelling has previously been painted and the proposed white colour scheme is respectful of, and in keeping with, the character of the period dwelling and the wider streetscape.

The proposal includes removal and replacement of the existing flue to the roof of the front portion of the dwelling and replacement with new shorter flue. The proposed alteration is considered acceptable. The flue is not considered original heritage fabric so its removal will not unreasonable impact on the significance of the building. The replacement flue being shorter than the existing will also reduce its visibility from both Lothian Street and Little Dryburgh Street North.

The proposal includes alteration of the three existing timber framed, double-hung sash windows to the ground floor north and east elevations, by way of removal of the existing clear glazing window panes and replacement with double glazed panes.

The annotations included on the proposed plans are inconsistent and unclear in relation to the retention of the existing window joinery. Given the windows are original heritage fabric, retention of the window joinery is required by local policy. Consultation with the applicant has confirmed that the proposal seeks to retain the window joinery, with alterations only proposed to the glazing itself. Accordingly, subject to the window joinery not being altered, the proposed alterations are considered acceptable.

Notwithstanding the issues discussed above, it is considered that external alterations of the building at the Site are acceptable. The issues can be resolved through a condition on any permit issued requiring amended plans be submitted requiring changes in line with the assessment above.

### 11.1.3 Additions

It is policy that:

- Additions to buildings in a heritage precinct are respectful of and in keeping with:
  - 'Key attributes' of the heritage precinct, as identified in the precinct Statement of Significance.
  - Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.
  - Character and appearance of nearby significant and contributory buildings.
  - Where abutting a lane, the scale and form of heritage fabric as it presents to the lane.
- Additions to significant or contributory buildings:

- Are respectful of the building's character and appearance, scale, materials, style and architectural expression.
  - Do not visually dominate or visually disrupt the appreciation of the building as it presents to the street.
  - Maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts and moderating height.
  - Do not build over or extend into the air space directly above the front or principal part of the significant or contributory building.
  - Retain significant roof form within the setback from the building façade together with roof elements of original fabric.
  - Do not obscure views of façades or elevations associated with the front or principal part of the building.
  - Are distinguishable from the original fabric of the building.
- The design of additions is to:
    - Adopt high quality and respectful contextual design.
    - Avoid direct reproduction of the form of historic fabric.
    - Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.

**Assessment:**

The proposal includes additions to the existing dwelling, consisting of an extension of the ground floor footprint as well as construction of a three storey component at the rear of the Site. Given the corner location of the Site, visibility of the three-storey addition from Lothian Street and Little Dryburgh Street North is unavoidable yet the addition is clearly separate.

The proposed three storey component is sited at the rear of the Site, setback 6.5 m from the hipped roof form of the retained portion of the heritage dwelling. The massing of the addition and height to the northwest corner of the Site allows for the single storey presentation of the original section of the house to be maintained and a clear separation of the new and heritage built form when viewed from Little Dryburgh Street North. The siting and setback ensure that the addition is visually recessive from the Lothian Street streetscape, maintaining the prominence of the retained heritage building on the Site and those adjoining to the south.



*Figure 19 - Lothian Street Perspective*

The proposal includes single storey additions to the retained heritage portion of the dwelling, along with reconstruction of the skillion roof in the same profile and materials as the existing. The retained north boundary wall along with the new three storey addition will conceal the ground floor additions, including reconstructed skillion roof, from the Little Dryburgh Street North streetscape.



Figure 20 - Corner of Lothian Street and Little Dryburgh Street North Perspective



Figure 21 - Western Perspective



Figure 22 - Lothian Street Perspective

The proposed additions adopt a high quality, contemporary design that is clearly distinguishable from surrounding heritage fabric but respectful and sympathetic in appearance, material and form. The proposed additions do not detract from the heritage character and appearance of the dwelling, or the surrounding streetscape and its contribution to the precinct.

Accordingly, the proposed additions are considered acceptable.

#### **11.1.4 Concealment of Additions**

It is policy that:

- Additions to a significant or contributory building are concealed in significant streetscapes. In other streetscapes, additions to significant buildings are concealed. For a second-storey addition to a single storey building, concealment is often achieved by setting back the addition at least 8 metres behind the front facade.
- In streetscapes that are not significant, additions to contributory buildings should be partly concealed. Some of the addition or higher rear part(s) may be visible, provided it does not dominate or reduce the prominence of the building's façade(s) and the streetscape.
- All additions to corner properties may be visible, but should be respectful of the significant or contributory building in terms of scale and placement, and not dominate or diminish the prominence of the building or adjoining contributory or significant building.

#### **Assessment:**

The proposed additions are set to the rear of the Site and would be visible from both the Lothian Street and Little Dryburgh Street North frontages. Given the Site is located on a corner block, visibility of the addition is unavoidable.

A proposed central courtyard acts to separate the mass of the addition from the retained heritage dwelling. The three storey component of the addition is not considered to dominate or diminish the prominence of the retained heritage dwelling or those adjoining given its placement on the Site and setback from the Lothian Street frontage.

The retained north boundary wall, along with the three storey addition, will act to conceal the ground floor additions to the retained portion of the heritage dwelling along the southern boundary.

Accordingly, the proposed addition is considered to be designed in accordance with local policy and is acceptable.

#### **11.1.5 Services and Ancillary Fixtures**

It is policy that:

- The installation of services and ancillary fixtures, in particular those that will reduce greenhouse gas emissions or water consumption such as solar panels, solar hot water services or water storage tanks, may be permitted on any visible part of significant or contributory buildings where it can be demonstrated there is no feasible alternative and the services and ancillary fixtures will not detract from the character and appearance of the building or heritage place.
- Items affixed to roofs, such as solar panels, align with the profile of the roof.
- Services and ancillary fixtures are installed in a manner whereby they can be removed without damaging significant fabric.

- For new buildings, services and ancillary fixtures are concealed, integrated or incorporated into the design of the building.

Assessment:

The proposed solar panels are located on the western side of the retained gable roof of the heritage dwelling, as well as to the north side of the roof of the three storey addition.

The solar panels proposed on the roof of the retained heritage dwelling align with the profile of the roof and will be concealed from view from the public realm.

Partial views of the solar panel on the new three storey addition may be possible from oblique angles. The panels similarly align with the profile of the roof to the addition to minimise visibility. Given the panels are to the new addition, they are not considered to result in an impact to the heritage significance of the Site or the wider streetscape.

Accordingly, the proposed solar panels are considered acceptable.

### **11.2 Clause 22.17 – Urban Design Outside the Capital City Zone**

Clause 22.17 – Urban Design Outside the Capital City Zone provides relevant policy in guiding the decision regarding the proposed additional built form. Pursuant to Clause 22.17, the scale, height and bulk of a new development should respect scale, height and bulk of the existing built form of the immediate surroundings, taking into consideration the current and future context of the site.

The Mixed Use Zone, in which the Site is situated in, seeks to encourage development that responds to the existing or preferred neighbourhood character of the area. The zone and the schedule to Clause 32.04 does not specify a mandatory maximum building height.

The proposed additional built form will be visible from both the Lothian Street and Little Dryburgh Street North streetscapes given the Site's corner location and the height of the addition. Clause 22.17 states that the height of new development should respect the existing built form of the immediate surroundings. Given the four storey mass built to the boundary of the rear laneway to the west, and four storey residential dwellings located to the north, the three storey addition to the rear of the Site is considered to respect the built form in line with the immediate surrounds.

The street level frontage of the addition is similarly considered in line with the requirements of local policy. The proposed addition provides ground level interest which engages with the street through doors and windows to the Little Dryburgh Street North frontage and the laneway frontage, avoiding blank facades and ensuring that the street and lane are activated.

It is considered that the proposal is consistent with the purpose of the zone and responds to the existing neighbourhood character of the surrounding area. The size and scale of the three-storey addition is in line with the scale of surrounding built form in the surrounding streetscapes, with built form up to four storeys present. Overall, the design response is considered to sit comfortably on the Site and within its surrounds.

### **11.3 Clause 54 – Amenity Considerations**

An assessment of the proposed development against the requirements of Clause 54 (One Dwelling on a Lot) is provided in Appendix 1 to this report and confirms that the proposed development will meet the requirements of this provision.

The proposal generally achieves compliance with the Standards of ResCode. Areas of non-compliance are detailed below.

### **11.3.1 Standard A5 (Site Coverage)**

The application seeks a variation to Standard A5 – Site Coverage. Standard A5 seeks to ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Generally, the site area covered by buildings should not exceed:

- 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.

The schedule to the Mixed Use Zone does not specify maximum site coverage, so accordingly the standard of 60% applies.

#### Assessment:

The site coverage is proposed to increase from approximately 81.5 m<sup>2</sup> (69%) to 104.2 m<sup>2</sup> (88.3%). The control specifies maximum site coverage of 60% however given the small footprint, inner urban location of the Site and the need to upgrade and preserve heritage dwellings, a variation to the standard is considered to be acceptable.

A number of the surrounding land parcels are developed with site coverage in excess of the 60% required by the standard. Given the context of the Site and modest increase in the building footprint, the proposed site coverage is considered to respect the existing neighbourhood character and satisfies the objective of the standard.

### **11.3.2 Standard A6 (Permeability)**

The application seeks a variation to Standard A6 – Permeability. Standard A6 seeks to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration.

Generally, the site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

The schedule to the Mixed Use Zone does not specify a minimum area, so accordingly the standard of 20% applies.

#### Assessment:

The proposal will result in an increase in Site permeability, from 15.45 m<sup>2</sup> (13.1%) to 23.25 m<sup>2</sup> (19.7%) of the Site covered by pervious surfaces. The control specifies a minimum area of 20% however given the existing context of the Site, a variation to the standard is considered to be acceptable.

The existing conditions on the Site do not meet the requirements of the standard, with the proposed works actually increasing the level of pervious cover from current conditions. The proposal incorporates water sensitive urban design initiatives through the implementation of stormwater treatment measures, including a non-trafficable green roof and installation of a 500 L underground rainwater tank connected to toilets. The proposal achieves a minimum STORM rating assessment of 104%, complying with the requirements of local stormwater management policy at Clause 22.23.



Given the context of the Site and proposed works to reduce the impact of increased stormwater run-off, the proposed permeability is considered to satisfy the objective of the standard.

**11.3.3 Standard A10 (Side and Rear Setback)**

The application seeks a variation to Standard A10 – Side and Rear Setback. Standard A10 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.

Generally, a new building not on or within 200 mm of a boundary should be set back from side or rear boundaries:

- 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.

The schedule to the Mixed Use Zone does not specify a setback distance, so accordingly the standard applies.

Assessment:

The proposed additions to the existing dwelling provide a setback from the southern boundary of the Site at the first and second floor. All other walls are built to the boundary of the Site.

The proposal provides raked walls along the southern boundary which generally accord with the setback profile required under the standard. The exception is a minor projection outside the profile required by the standard at the first floor (see Figure 23).

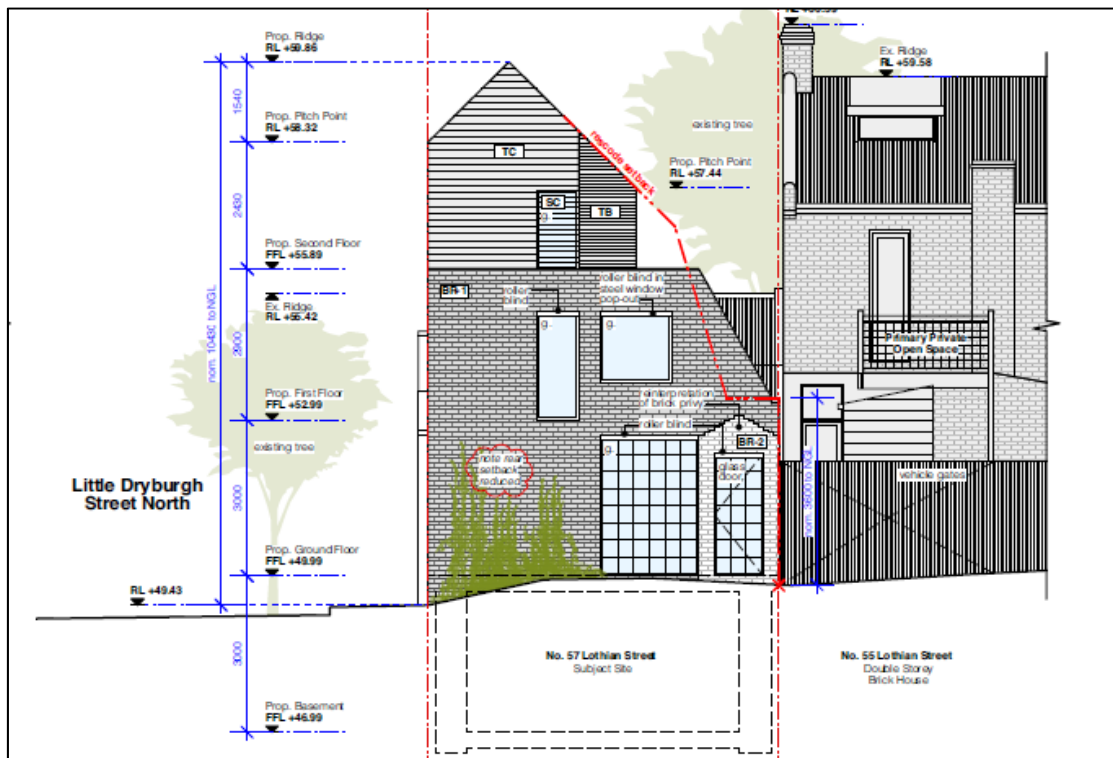


Figure 23 - Proposed West Elevation with ResCode Setback

While the proposal does not meet the requirements of the standard, a variation is sought given the reduced setback does not result in any unreasonable amenity impacts to the adjoining dwelling to the south at 55 Lothian Street. At ground level the wall is opposite an area of secluded private open space that is generally used for car parking for the adjoining dwelling, with the primary area of secluded private open space located on a first floor roof terrace located along the southern boundary. The level of overshadowing of this elevated area of secluded private open space will not change from existing conditions as a result of the reduced setback.

The raked profile of the walls, while reduced from that required by the standard, will still reduce visual bulk of the addition when viewed from the south, as well as reducing overshadowing impacts to the 55 Lothian Street at ground level.

The reduced side setback is considered in line with the character of existing built form in the surrounding streetscapes. It is considered that the proposed reduced side setbacks respect the existing neighbourhood character and will not result in any unreasonable amenity impact to the adjoining dwelling by way of overshadowing or visual bulk, satisfying the objective of the standard.

#### **11.3.4 Clause 54.04-2 – Standard A11 (Walls on Boundary)**

The application seeks a variation to Standard A11 – Walls on Boundaries. Standard A11 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.

Generally, a new wall constructed on or within 200 mm of a side or rear boundary of a lot should not abut the boundary:

- For a length 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:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,

whichever is the greater.

The height of a new wall constructed on or within 200 mm 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.

The schedule to the Mixed Use Zone does not specify a length for walls on boundaries, so the standard length applies.

#### **Assessment:**

The proposal results in a single storey wall on boundary along the entire length of the southern boundary, as well as a three storey wall on boundary to the north and west boundary.

The new walls built to the north and west boundary as part of the three storey addition exceed the height and length requirements of the standard. The new walls abut Little Dryburgh Street North and laneway PT5223.

Walls on boundary are considered in line with the character of existing built form in the surrounding streetscapes, with the building to the west similarly presenting a three storey wall on boundary to both the street and laneway (see *Figure 22*). The

wall opposite the laneway frontage does not contain any windows ensuring the wall will not result in any unreasonable amenity impacts to existing dwellings by way of overshadowing or visual bulk. A variation to the standard is therefore considered acceptable.

The proposal also includes construction of a single storey wall on boundary for the entire length of the southern boundary of the Site, abutting the dwelling at 55 Lothian Street. The wall has a height of 2.7 m for a length of 2.9 m, before rising to a maximum height of 3.6 m at the laneway.

While the length of the proposed wall on boundary exceeds that required under the standard, a variation to the requirements of the standard is considered acceptable given the context of the Site.

The proposed wall on boundary will abut the side setback of the adjoining dwelling for most of its length. The adjoining dwelling at 55 Lothian Street is setback approximately 1.2 m from the boundary. At the end of the site the wall is opposite an area of secluded private open space that is generally used for car parking for the dwelling, with the primary area of secluded private open space on a first floor roof terrace located along the southern boundary.

The location of the primary area of secluded private open space for 55 Lothian Street ensures that amenity is not unreasonably impacted as a result of the length of the wall on boundary. The level of overshadowing of this elevated area of secluded private open space will not change from existing conditions as a result of the additional wall on boundary and will continue to have outlook free from built form.

Given the limited potential for unreasonable amenity impacts resulting from the development, the proposed wall on the south boundary is considered acceptable.

In addition, due to the width of many of the land parcels along Lothian Street, it is likely that double storey additions may need to abut side boundaries. The development does not limit the future development potential of the adjoining lot and the length of the wall on the boundary is in line with the character of existing surrounding built form.

It is considered that the proposed walls on boundary respect the existing neighbourhood character and will not result in any unreasonable amenity impact to the surrounding dwellings by way of overshadowing or visual bulk, satisfying the objective of the standard.

### **11.3.5 Clause 54.04-5 – Standard A14 (Overshadowing Open Space)**

The application seeks a variation to Standard A14 – Overshadowing Open Space. Standard A14 seeks to ensure buildings do not unreasonably overshadow existing secluded private open space.

Generally, 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 9am and 3pm on 22 September.

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

#### **Assessment:**

The proposed additions result in an increase in the level of overshadowing to the secluded private open space of the adjacent dwelling at 55 Lothian Street, however it is limited in time and scale and does not result in unreasonable amenity impacts to the dwelling.

The secluded private open space for the dwelling at 55 Lothian Street consists of a ground floor area of secluded private open space with direct access from the laneway that is generally used for car parking, with the primary area of secluded private open space located on a first floor roof terrace located along the southern boundary.

The proposal results in an increase in the level of overshadowing of the ground floor area of secluded private open space. The increase in overshadowing is most prominent at midday on 22 September, where overshadowing increases by 3.2 m<sup>2</sup>. Given this area is generally used as an area for car parking, not for the recreation needs of the residents of the dwelling, an increase in overshadowing is not considered unreasonable in this instance.

The elevated location of the primary area of secluded private open space for 55 Lothian Street ensures that amenity is not unreasonably impacted as a result of the proposal. The level of overshadowing of this elevated primary area of secluded private open space will not change from existing conditions as a result of the proposal.

Given the location and modest increase in overshadowing to the shared open space and car parking area, it is considered that the proposal will not unreasonably impact on the amenity of the dwelling and satisfies the objective of the standard.

#### **11.3.6 Standard A17 (Private Open Space)**

The application seeks a variation to Standard A17 – Private Open Space. Standard A17 seeks to provide adequate private open space for the reasonable recreation and service needs of residents.

Generally, a dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

The schedule to the Mixed Use Zone does not specify an area and dimensions for private open space, so accordingly the standard applies.

#### Assessment:

The proposal will result in a total of 12.8 m<sup>2</sup> of secluded private open space for the dwelling. The open space consists of a centrally located courtyard on the ground floor of the dwelling.

While smaller than that required by the standard, the ground floor SPOS will provide a useable area of open space, being 4.1 m in width and 3.2 m in length, that has convenient access from the living and kitchen areas of the dwelling. The area is considered reasonable for a dwelling of this size in an inner urban area.

It is noted that there are publicly accessible areas of open space located within close proximity of the Site, including Gardiner Reserve approximately 330 m to the north.

Given the useability of the area of open space, overall size of the dwelling (4 bedrooms) and availability and access to nearby public open space, in this instance a variation of the standard is considered acceptable.

## 11.4 Design and Development Overlay – Schedule 32

Schedule 32 to the Design and Development Overlay (North Melbourne Peripheral) specifies design objectives relating to maximum building heights for new development. The schedule specifies a maximum building height of 14 m for areas within the overlay. Applicable built form outcomes include that new development respects existing built form, especially the low scale of the existing older building stock in the street.

The proposed additions will result in a building with a maximum building height of 10.4 m. The proposed three storey addition provides a substantial setback from the heritage building and the Lothian Street frontage retaining unobstructed views of the significant building. The three storey built form is in line with surrounding 3-4 storey buildings to the north and west, and therefore not out of character. Whilst the form is built to boundary, with the architectural features and windows to the street the built form is not considered to affect pedestrian amenity or scale.

Accordingly, the proposal is considered in line with the requirements and built form outcomes of the overlay.

## 11.5 Sustainability

Clause 22.19 (Energy, Water and Waste Efficiency) requires that residential developments up to 5,000 m<sup>2</sup> GFA achieve / provide:

- Energy efficiency: N/A (sufficiently covered by the Building Code of Australia).
- Water efficiency: 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.
- Waste efficiency: A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's Guidelines for Waste Management Plans.

### Assessment:

A permit condition requiring an Environmentally Sustainable Design (ESD) Report is recommended to ensure the development will achieve the ESD performance requirements of Clauses 22.19.

A Waste Management Plan was not considered to be required given the Site is already serviced by Council's residential waste team.

It is therefore considered that the proposed development will meet the relevant requirements of Clause 22.19 Energy, Water and Waste Efficiency.

## 11.6 Conclusion

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

## 12 RECOMMENDATION

That a Planning Permit be issued subject to the following conditions:

### 12.1 Conditions

#### Amended plans before endorsement

1. Prior to the commencement of the development on the land (including any demolition or bulk excavation), or as may otherwise be agreed with the Responsible Authority, an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the amended plans prepared by Austin Maynard Architects received 29 June 2021 but amended to show:
  - a) Retention of the window joinery for the three double hung windows to the retained heritage building.
  - b) Location of bin storage within the property boundary.
  - c) Any modifications as required by the Structural Report at condition 4.

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

#### **Endorsed plans**

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

#### **Environmentally Sustainable Design (ESD) Statement**

3. Prior to the commencement of the development, an Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to the satisfaction of the Responsible Authority. The ESD Statement must demonstrate that the building has the preliminary design potential to achieve the following:
  - 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.

#### **Structural report**

4. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure its 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.

#### **Drainage system provision**

5. 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.

#### **Groundwater management**

6. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.

## **Roads**

7. 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.
8. The road adjoining the site along PT5223 must be reconstructed in new bluestone paver with sawn surface finish together with associated works including the reconstruction of the adjacent vehicle access to the laneway in asphalt, 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.

## **Street levels not to be altered**

9. 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.

## **Footpaths**

10. The footpaths adjoining the site along Lothian Street and Little Dryburgh Street 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.

## **Features above roof level**

11. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

## **Walls on boundary**

12. All new or extended walls on or facing the boundary of adjoining properties and / or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

## **Permit Expiry**

13. This permit will expire if one of the following circumstances applies:
  - 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.

**Notes:**

- 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.
- 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.



## Appendix 1 – Clause 54 Report

### CLAUSE 54 – ONE DWELLING ON A LOT

#### 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*

#### Requirements

A development:

- **Must meet all of the Objectives**
  - In the report you must state whether or not the proposal meets the Objective.
- **Should meet all of the Standards of this Clause**
  - A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
  - In the report, in the discussion area for each ‘Standard’ assess the proposal against the ‘Decision Guidelines’ for each ‘Standard’ which are listed in the Planning Scheme.

<b>54.02 NEIGHBOURHOOD CHARACTER</b>	
<b>54.02-1 NEIGHBOURHOOD CHARACTER</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</li> <li>• To ensure that the design responds to the features of the site and the surrounding area.</li> </ul>
	Complies.
<b>Standard A1</b>	<ul style="list-style-type: none"> <li>• The design response must be appropriate to the neighbourhood and the site.</li> <li>• The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</li> </ul>
	<p>Complies.</p> <p>The proposed additions are to the rear of the Site, setback from the heritage building. Given the corner location, the additions will be visible. The surrounding neighbourhood includes a range of building styles, scales and typologies, including 4 storey built form to the north and west. The design response is considered to positively respond to the features of the Site and respects the existing neighbourhood character.</p>

<b>54.02-2 INTEGRATION WITH THE STREET</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>To integrate the layout of the development with the street.</li> </ul>
	Not applicable.
<b>Standard A2</b>	<ul style="list-style-type: none"> <li>Dwellings should be orientated to front existing and proposed streets.</li> <li>High fencing in front of dwellings should be avoided if practicable.</li> <li>Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.</li> </ul>
	<p>Not applicable.</p> <p>The there is no change proposed to the orientation of the existing dwelling.</p>
<b>54.03 SITE LAYOUT AND BUILDING MASSING</b>	
<b>54.03-1 STREET SETBACK</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To ensure that setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</li> </ul>
	Not applicable.
<b>Standard A3</b>	<ul style="list-style-type: none"> <li>Walls of buildings should be set back from streets: <ul style="list-style-type: none"> <li>At least the distance specified in the schedule to the zone, or</li> <li>If no distance is specified in the schedule to the zone, the distance specified in Table A1.</li> </ul> </li> <li>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.</li> </ul>
	<p>Not applicable.</p> <p>The there is no change proposed to the existing front setback of the dwelling.</p>
<b>54.03-2 BUILDING HEIGHT</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>To ensure that the height of the buildings respects the existing or preferred neighbourhood character.</li> </ul>
	Complies.
<b>Standard A4</b>	<ul style="list-style-type: none"> <li>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.</li> <li>If no maximum height is specified in the schedule to the zone, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 m of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 m.</li> <li>Changes of building height between existing buildings and new buildings should be graduated.</li> </ul>
	<p>Complies.</p> <p>There is no maximum building height specified in the zone or a schedule to the zone. A maximum building height of 14 m applies under Schedule 32 to the Design and Development Overlay. The proposed additions will result in a maximum building height of 10.43 m, complying with the requirements of the overlay.</p>

<b>54.03-3 SITE COVERAGE</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</li> </ul>
	Complies.
<b>Standard A5</b>	<ul style="list-style-type: none"> <li>The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>The maximum site coverage specified in the schedule to the zone, or</li> <li>If no maximum site coverage is specified in the schedule to the zone, 60 per cent.</li> </ul> </li> </ul>
	<p>Variation.</p> <p>The site coverage is proposed to be increased from approximately 81.5 m<sup>2</sup> (69%) to 104.2 m<sup>2</sup> (88.3%). Given the compact size, inner urban location of the Site and the existing neighbourhood character, a variation to the standard is considered to be acceptable.</p>
<b>54.03-4 PERMEABILITY</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To reduce the impact of increased stormwater run-off on the drainage system.</li> <li>To facilitate on-site stormwater infiltration.</li> </ul>
	Complies.
<b>Standard A6</b>	<ul style="list-style-type: none"> <li>At least 20% of the site should not be covered by impervious surfaces.</li> </ul>
	<p>Variation.</p> <p>The proposal will result in an increase in Site permeability, from 15.45 m<sup>2</sup> (13.1%) to 23.25 m<sup>2</sup> (19.7%) of the Site covered by pervious surfaces. Given the overall increase in pervious cover, along with the installation of a 500 L underground rainwater collection tank, a variation to the standard is considered to be acceptable.</p>
<b>54.03-5 ENERGY EFFICIENCY PROTECTION</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To achieve and protect energy efficient dwellings.</li> <li>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> </ul>
	Complies.
<b>Standard A7</b>	<ul style="list-style-type: none"> <li>Buildings should be: <ul style="list-style-type: none"> <li>Orientated to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> </li> <li>Living areas and private open space should be located on the north side of the dwelling, if practicable.</li> <li>Dwellings should be designed so that solar access to north-facing windows is maximised.</li> </ul>
	<p>Complies.</p> <p>The proposed addition is to the rear of the existing dwelling, with the design maximising use of north facing windows. The area of secluded private open space is to remain oriented to the north side of the Site and located off the living area of the dwelling.</p>

<b>54.03-6 SIGNIFICANT TREES</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>To encourage development that respects the landscape character of the neighbourhood.</li> <li>To encourage the retention of significant trees on the site.</li> </ul>
	Complies.
<b>Standard A8</b>	<ul style="list-style-type: none"> <li>Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.</li> <li>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> </ul>
	Complies. There are no significant trees located on the Site. Planting trees are not part of the neighbourhood character of the area.
<b>54.04 AMENITY IMPACTS</b>	
<b>54.04-1 SIDE AND REAR SETBACKS</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
	Complies.
<b>Standard A10</b>	<ul style="list-style-type: none"> <li>A new building not on, or within 150mm of boundary should be setback from side or rear boundaries:                             <ul style="list-style-type: none"> <li>At least the distance specified in the schedule to the zone, or</li> <li>If no distance is specified in the schedule to the zone, 1 m, plus 0.3 m for every metre of height over 3.6 m up to 6.9 m, plus 1 m for every metre of height over 6.9 m.</li> </ul> </li> <li>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 m into the setbacks of this standard.</li> <li>Landings with an area of not more than 2 m<sup>2</sup>, and less than 1 m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</li> </ul>
	<p style="text-align: center;"><b>Diagram A1 – Side and Rear Setbacks</b></p> <p>The diagram illustrates the required setbacks for a building. It shows a dashed line representing the 'lot boundary'. A solid line represents the building's footprint. Key dimensions are labeled: a horizontal setback of 4.1m from the lot boundary to the building's side wall; a vertical height of 2.1m for the building's side wall; a horizontal setback of 3.6m (maximum) or 3m average from the lot boundary to the building's rear wall; and a vertical height of 6.9m for the building's rear wall. A note indicates that the building's maximum height is 9m. Additional dimensions of 1m, 1m, and 2.1m are shown for a specific section of the building's side wall.</p>
	<p>Variation.</p> <p>The proposal provides raked walls along the southern boundary which generally accord with the setback profile required under the standard, with the exception of a minor projection at the first floor. The proposed reduced setback does not result in any unreasonable amenity impact to the surrounding land users by way of overshadowing or visual bulk. Reduced side setbacks are considered in line with the character of existing built form in the surrounding streetscapes.</p>

<b>54.04-2 WALLS ON BOUNDARIES</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
	Complies.
<b>Standard A11</b>	<ul style="list-style-type: none"> <li>A new wall constructed on or within 150 mm of a side or rear boundary of a lot, or a carport constructed on or within 1 m of a side or rear boundary of a lot should not abut the boundary for a length of more than: <ul style="list-style-type: none"> <li>10 m plus 25% of the remaining length of the boundary of an adjoining lot; or</li> <li>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> <li>A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 m on the abutting property boundary.</li> <li>A building on a boundary includes a building set back up to 150 mm from a boundary.</li> <li>The height of a new wall constructed on or within 150 mm of a side or rear boundary or a carport constructed on or within 1 m of a side or rear boundary should not exceed an average of 3 m with no part higher than 3.6 m unless abutting a higher existing or simultaneously constructed wall.</li> </ul>
	<p>Variation.</p> <p>The proposal results in a single storey wall on boundary for the entire southern boundary, and a three storey wall on boundary to the north and west boundary. The proposed walls on boundary do not result in any unreasonable amenity impact to the surrounding land users by way of overshadowing. Walls on boundary are considered in line with the character of existing built form in the surrounding streetscapes.</p>
<b>54.04-3 DAYLIGHT TO EXISTING WINDOWS</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To allow adequate daylight into existing habitable room windows.</li> </ul>
	Not applicable.
<b>Standard A12</b>	<ul style="list-style-type: none"> <li>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 m<sup>2</sup> and a minimum dimension of 1 m clear to the sky. The calculation of the area may include land on the abutting lot.</li> <li>Walls or carports more than 3 m in height opposite an existing habitable room window should be set back from the window at least 50% 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.</li> <li>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</li> </ul>
	<p>Not applicable.</p> <p>The proposal does not propose new buildings and works opposite any existing habitable room window to adjacent dwellings.</p>

<b>54.04-4 NORTH FACING WINDOWS</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To allow adequate solar access to existing north-facing habitable room windows.</li> </ul> <p>Not applicable.</p>
<b>Standard A13</b>	<ul style="list-style-type: none"> <li>If a north-facing habitable room window of an existing dwelling is within 3 m of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 m up to 6.9 m, plus 1 m for every metre of height over 6.9 m, for a distance of 3 m from the edge of each side of the window.</li> <li>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</li> </ul> <div style="text-align: center;"> <p><b>Diagram A3 – North Facing Windows</b></p> </div> <p>Not applicable.</p> <p>The proposal does not propose new buildings and works opposite any existing north-facing habitable room window to adjacent dwellings.</p>
<b>54.04-5 OVERSHADOWING OPEN SPACE</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To ensure buildings do not unreasonably overshadow existing secluded private open space.</li> </ul> <p>Complies.</p>
<b>Standard A14</b>	<ul style="list-style-type: none"> <li>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40 m<sup>2</sup> with a minimum dimension of 3 m, whichever is the lesser area, of the secluded private open space should receive a minimum of 5 hours of sunlight between 9am and 3pm on 22 September.</li> <li>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.</li> </ul> <p>Variation.</p> <p>The proposal results in a minor increase to overshadowing of the private open space of the adjoining dwelling at 55 Lothian Street. The increase in overshadowing is limited in its time and scale, and restricted to a secondary area of private open space used for car parking for the dwelling.</p> <p>The elevated location of the primary area of secluded private open space for 55 Lothian Street ensures that amenity is not unreasonably impacted as a result of the proposal. The level of overshadowing of this elevated primary area of secluded private open space will not change from existing conditions as a result of the proposal.</p> <p>Given the location and modest increase in overshadowing, it is considered that the proposal will not unreasonably impact on the amenity of the dwelling.</p>

<b>54.04-6 OVERLOOKING</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To limit views into existing secluded private open space and habitable room windows.</li> </ul> <p>Complies.</p>
<b>Standard A15</b>	<ul style="list-style-type: none"> <li>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 m (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.</li> <li>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:             <ul style="list-style-type: none"> <li>Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or</li> <li>Have sill heights of at least 1.7 m above floor level, or</li> <li>Have obscure glazing in any part of the window below 1.7 m above floor level, or</li> <li>Have permanently fixed external screens to at least 1.7 m above floor level and be no more than 25% transparent.</li> </ul> </li> <li>Obscure glazing in any part of the window below 1.7 m above floor level may be openable provided that there are no direct views as specified in this standard.             <ul style="list-style-type: none"> <li>Screens used to obscure a view should be:                 <ul style="list-style-type: none"> <li>Perforated panels or trellis with a maximum of 25% openings or solid translucent panels.</li> <li>Permanent, fixed and durable.</li> <li>Designed and coloured to blend in with the development.</li> </ul> </li> </ul> </li> <li>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.</li> </ul> <div style="text-align: center;"> <p>The diagram consists of two parts. The left part shows a plan view of a 'new dwelling' and an 'existing dwelling'. A '9m radius' arc is drawn from the new dwelling towards the 'existing secluded private open space' of the existing dwelling. Two 45-degree angles are shown from the new dwelling's level to the open space. A shaded area is labeled 'area to be screened or obscured'. The right part shows a cross-section view of a 'new dwelling' and an 'existing dwelling'. A '9m radius' arc is drawn from the new dwelling's level towards the 'existing secluded private open space' of the existing dwelling. Two 45-degree angles are shown from the new dwelling's level to the open space. A shaded area is labeled 'area to be screened or obscured'.</p> </div> <p style="text-align: center;"><b>Diagram A4 – Overlooking Open Space</b></p> <p>Complies.</p> <p>The proposal does not include clear glazed windows to habitable room windows within a horizontal distance of 9 m from the secluded private open space or habitable room window of existing surrounding dwellings.</p>

<b>54.05 ON SITE AMENITY AND FACILITIES</b>	
<b>54.05-1 DAYLIGHT TO NEW WINDOWS</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To allow adequate daylight into new habitable room windows.</li> </ul>
	Complies.
<b>Standard A16</b>	<ul style="list-style-type: none"> <li>A window in a habitable room should be located to face:               <ul style="list-style-type: none"> <li>An outdoor space clear to the sky or a light court with a minimum area of 3 m<sup>2</sup> and minimum dimension of 1 m clear to the sky, not including land on an abutting lot, or</li> <li>A verandah provided it is open for at least one third of its perimeter.</li> <li>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul> </li> </ul>
	<p>Complies.</p> <p>All new habitable room windows face an outdoor area clear to the sky.</p>
<b>54.05-2 PRIVATE OPEN SPACE</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To provide adequate private open space for the reasonable recreation and service needs of residents</li> </ul>
	Complies.
<b>Standard A17</b>	<ul style="list-style-type: none"> <li>A dwelling should have private open space of an area and dimensions specified in the schedule to the zone.</li> <li>If no area or dimensions are specified in the schedule to the zone, a dwelling should have private open space consisting of an area of 80 m<sup>2</sup> or 20% of the area of the lot, whichever is the lesser, but not less than 40 m<sup>2</sup>. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 m<sup>2</sup> and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.</li> </ul>
	<p>Variation.</p> <p>Lot size is 118 m<sup>2</sup> with a total proposed POS of 12.8 m<sup>2</sup>. Results in approximately 10.85% of the area of the lot as POS. POS consists of a secluded central courtyard with dimensions of 4.1 m x 3.2 m. The SPOS is located off the kitchen and living area of the dwelling. The area of SPOS is considered reasonable for a dwelling of this size, with publicly accessible areas of open space located within close proximity to the dwelling.</p>
<b>54.05-3 SOLAR ACCESS TO OPEN SPACE</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To allow solar access into the secluded private open space of a new dwelling.</li> </ul>
	Not applicable.
<b>Standard A18</b>	<ul style="list-style-type: none"> <li>The private open space should be located on the north side of the dwelling, if practicable.</li> <li>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)m, where 'h' is the height of the wall.</li> </ul>
	<p>Not applicable.</p> <p>Applies to the construction of a new dwelling only.</p>



<b>54.06 DETAILED DESIGN</b>	
<b>54.06-1 DESIGN DETAIL</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To encourage design detail that respects the existing or preferred neighbourhood character.</li> </ul>
	Complies.
<b>Standard A19</b>	<ul style="list-style-type: none"> <li>The design of buildings, including: <ul style="list-style-type: none"> <li>Facade articulation and detailing,</li> <li>Window and door proportions,</li> <li>Roof form, and</li> <li>Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</li> </ul> </li> <li>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</li> </ul>
	<p>Complies.</p> <p>The surrounding locale includes a mix of housing typologies, including contemporary modern style townhouses and additions to heritage buildings. The proposed design adopts a contemporary form which is considered respectful of the retained heritage building and the surround neighbourhood character.</p>
<b>54.06-2 FRONT FENCE</b>	
<b>Objective</b>	<ul style="list-style-type: none"> <li>To encourage front fence design that respects the existing or preferred neighbourhood character.</li> </ul>
	Not applicable.
<b>Standard A20</b>	<ul style="list-style-type: none"> <li>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.</li> <li>A front fence within 3 m of a street should not exceed: <ul style="list-style-type: none"> <li>The maximum height specified in the schedule to the zone, or</li> <li>If no maximum height is specified in the schedule to the zone, the maximum height specified in Table A2.</li> </ul> </li> </ul>
	<p>Not applicable.</p> <p>There is no front fence to the dwelling.</p>