

Report to the Future Melbourne Committee

Agenda item 6.2

Planning Permit Application: TP-2022-229 6-10 MacArthur Place North, Carlton

4 April 2023

Presenter: Marjorie Kennedy, 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, external alterations, and buildings and works to construct three dwellings on a lot at 6-10 MacArthur Place North, Carlton (refer Attachment 2 – Locality Plan).
2. The applicant is Tract Consultants. The owner is Mr John Peter Piccolo. The architect is DP Toscano Architects Pty Ltd.
3. The land is located in a General Residential Zone Schedule 1 (GRZ1), Heritage Overlay (HO1 Carlton Precinct), and Parking Overlay Schedule 12 (PO12).
4. The existing building on the site is identified as being a contributory heritage place in a non-categorised streetscape. The proposal seeks to carry out demolition beyond the first two rooms in depth of the existing building and construct a three storey building with roof terrace and one basement level to the rear (refer Attachment 3 – Selected Plans). Each storey is to contain one dwelling (three in total) and the basement level will contain three car parking spaces and waste facilities. The basement car parking is to be accessed via Nicholls Lane to the north.
5. Public notice (advertising) of the application was undertaken and 38 objections have been received raising concerns with the traffic impact on Nicholls Lane, amenity impacts on adjoining properties, impact on the heritage streetscape, impacts during construction and response to previous decision of the Victorian Civil and Administrative Tribunal (VCAT).

Key issues

6. A previous proposal (TP-2020-533) was refused by VCAT on the basis of the unacceptable parking and access arrangements. The VCAT order provided commentary that any future development would require changes to the eastern setback of Level 2 and the roof terrace to reduce the dominance of the addition in views from the east, an increase in the rear setback of Level 2 to reduce amenity impacts to 4 MacArthur Place North and further details on overlooking measures.
7. The key issues for consideration is how the proposal has responded to the issues identified in VCAT's determination of TP-2020-533 and the objections received.
8. The proposed development is an acceptable response to the demolition and built form guidance at Clause 15.03-1L-02 (Heritage). The retention of the principal part of the building, increased northern and eastern setbacks at Level 2 provide for a development that will not unreasonably detract from the character or appearance of the heritage place or Carlton Precinct.
9. Car parking access is provided via a car lift accessed via Nicholls Lane. The swept path diagrams submitted with the application demonstrate that access and circulation within the parking area will be acceptable.
10. With the inclusion of recommended permit conditions, requiring increased setbacks of the terrace to the south and east, the application addresses the concerns raised by VCAT.

Recommendation from management

11. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Planning Permit subject to the conditions outlined in the Delegate Report (refer Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 3 of 103)
2. Locality Plan (Page 4 of 103)
3. Selected Plans (Page 5 of 103)
4. Delegate Report (Page 43 of 103)

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.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and the objectors notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which the objectors may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

Finance

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

Conflict of interest

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

Health and Safety

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

Stakeholder consultation

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

Relation to Council policy

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

Environmental sustainability

8. The Environmentally Sustainable Design (ESD) report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 15.01-2L-01 (Energy and resource efficiency) and 19.03-3L (Stormwater management (Water sensitive urban design)) of the Melbourne Planning Scheme.

Locality Plan

6-10 MacArthur Place North, Carlton



NEW APARTMENTS

6-10 MACARTHUR PLACE NORTH, CARLTON 3053

ARCHITECTURAL DRAWING LIST

DEVELOPMENT PLANS

DWG Rev TITLE
No.

TP-01 A SITE PLAN + DEMOLITION
TP-02 - GROUND FLOOR PLAN
TP-03 A LEVEL 1 PLAN
TP-04 A LEVEL 2 PLAN
TP-05 A ROOF PLAN
TP-06 A BASEMENT PLAN
TP-07 A ELEVATIONS 1 : SOUTH
TP-08 A ELEVATIONS 2 : EAST
TP-19 A ELEVATIONS 3 : NORTH
TP-10 A ELEVATIONS 4 : WEST
TP-11 A SECTION 1
TP-12 - SECTION 2
TP-13 - INTERNAL AMENITY ANALYSIS
TP-14 - STREETScape ELEVATION & CROSS SECTION

ANALYSIS DRAWINGS

DWG Rev TITLE
No.

TP00_A1 - SITE PLAN : EXISTING SITE CONTEXT
TP00_A2 - SITE ANALYSIS
TP00_A3 - SITE PLAN: DESIGN RESPONSE
TP00_A4 - ESD SECTION
TP00_A5 A SHADOW STUDIES - EXISTING CONDITIONS
TP00_A6 A SHADOW STUDIES - PROPOSED BUILDING CONDITIONS
TP00_A7 A SHADOW STUDIES - IMPACT ON ADJOINING POS
TP00_A8 - GOOD DESIGN ANALYSIS - BASEMENT PLAN
TP00_A9 - GOOD DESIGN ANALYSIS - GROUND PLAN
TP00_A10 - GOOD DESIGN ANALYSIS - LEVEL 1 PLAN
TP00_A11 - GOOD DESIGN ANALYSIS - LEVEL 2 PLAN
TP00_A12 - GOOD DESIGN ANALYSIS - ROOF PLAN

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE -
DATE November_2017

Project No [2]1711/3
Dwg: TP00

Rev A

AMENDMENTS			
Rev	By	Date	Description
-		20.12.22	Initial Issue
A		6.07.22	General update for RFI planning responses

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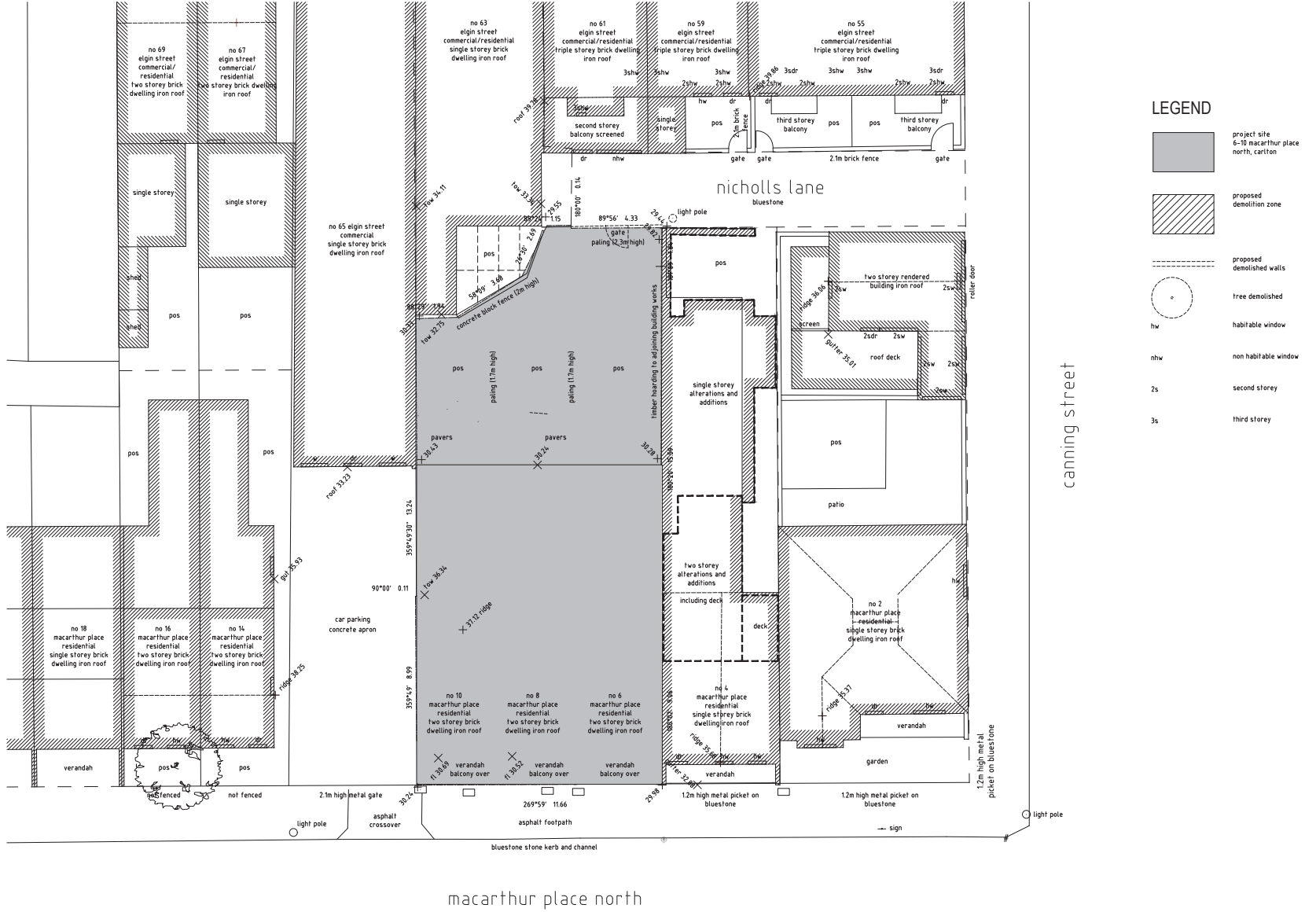
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Macarthur Place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

site plan: existing site context

DP_TOSCANO ARCHITECTS

SCALE 1:100@A1
DATE JANUARY 2022

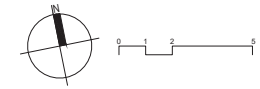
Project No [2]1711/3
Dwg: TP00_A1

Rev -

AMENDMENTS			
Rev	By	Date	Description
-	DP	2022	initial issue

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three-storey building to Nicholls lane



P2
04 macarthur place north
4 storey modern addition to existing building with roof top terrace
100m west of project site



P1
22 macarthur place north
3 storey modern addition to existing building



LEGEND

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



P6
54a canning street off nicholls lane
3 storey modern alterations and additions to existing building with balcony



P7
Street view looking west
54a canning street in the back ground

Macarthur Place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

SCALE 1:500@A1
DATE JANUARY 2022

Project No [2]1711/3
Dwg: TP00_A2

AMENDMENTS

Rev	By	Date	Description
-		29.01.22	Initial Issue

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site analysis + site context 1

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

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

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

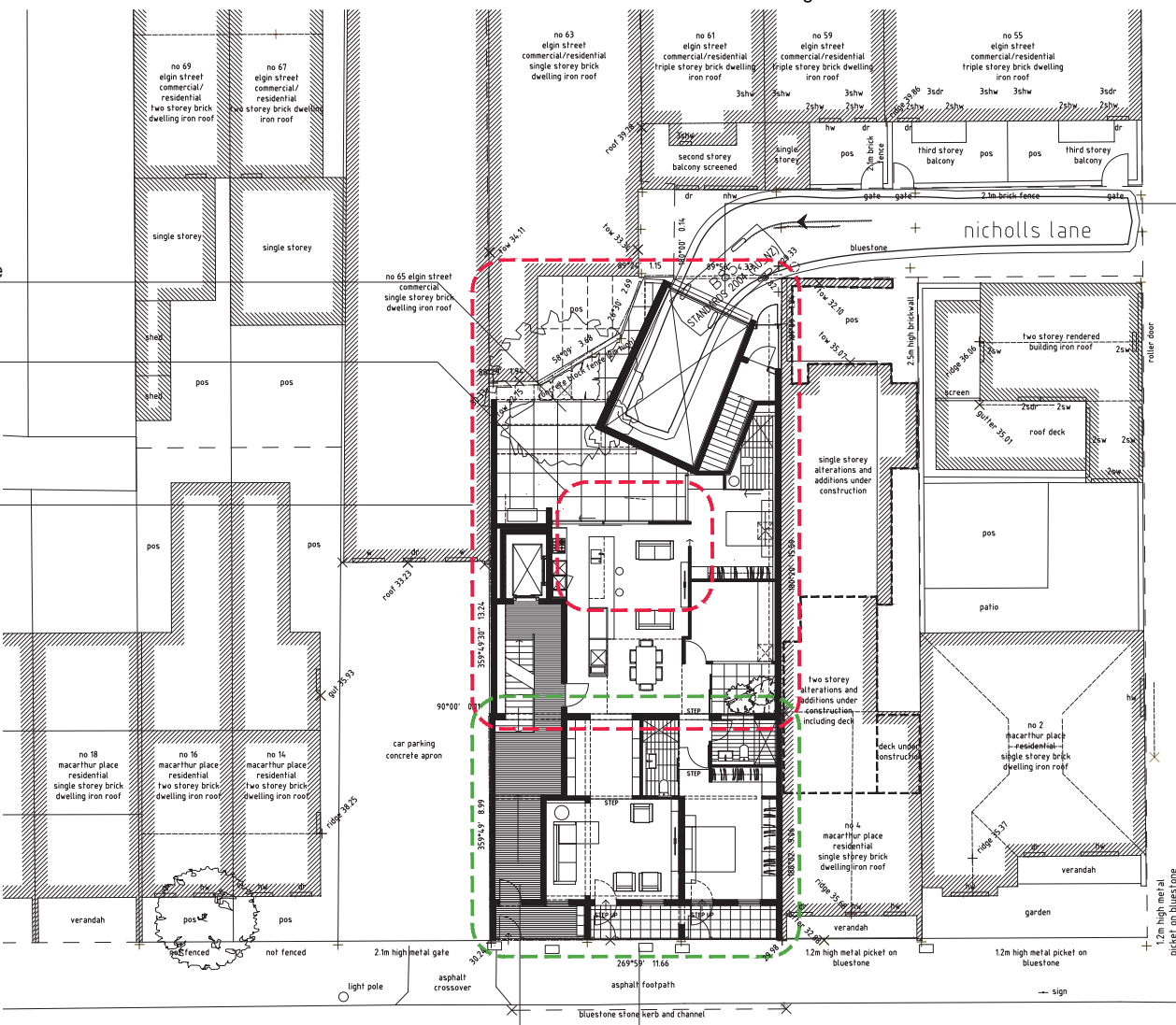
street interface
existing building facade retained, formal common pedestrian access created through existing facade opening to access internal entry foyer

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

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

canning street

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



Macarthur Place apartments

6 - 10 MACARTHUR PLACE NORTH, CARLTON

site plan: design response

SCALE 1:100@A1
DATE JANUARY 2022

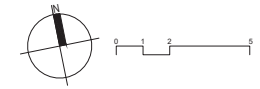
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Dwg: TP00_A3

Rev: -

AMENDMENTS			
Rev	By	Date	Description
-	-	20.01.22	Initial Issue

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REFERENCE DOCUMENT

"Better Apartments Design Standards"

The State of Victoria Department of Environment, Land, Water & Planning

ESD PRINCIPLES

WATER

stormwater harvesting irrigation system for planterbox areas throughout

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

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

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

water saver features to shower heads throughout

SOLAR

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

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

POWER + LIGHTING

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

"on demand" lighting to public areas

NATURAL LIGHT + VENTILATION

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

metal battens forming facade screen provide sun shading and privacy

PLANTING + TREES

planterboxes provided to upper terraces

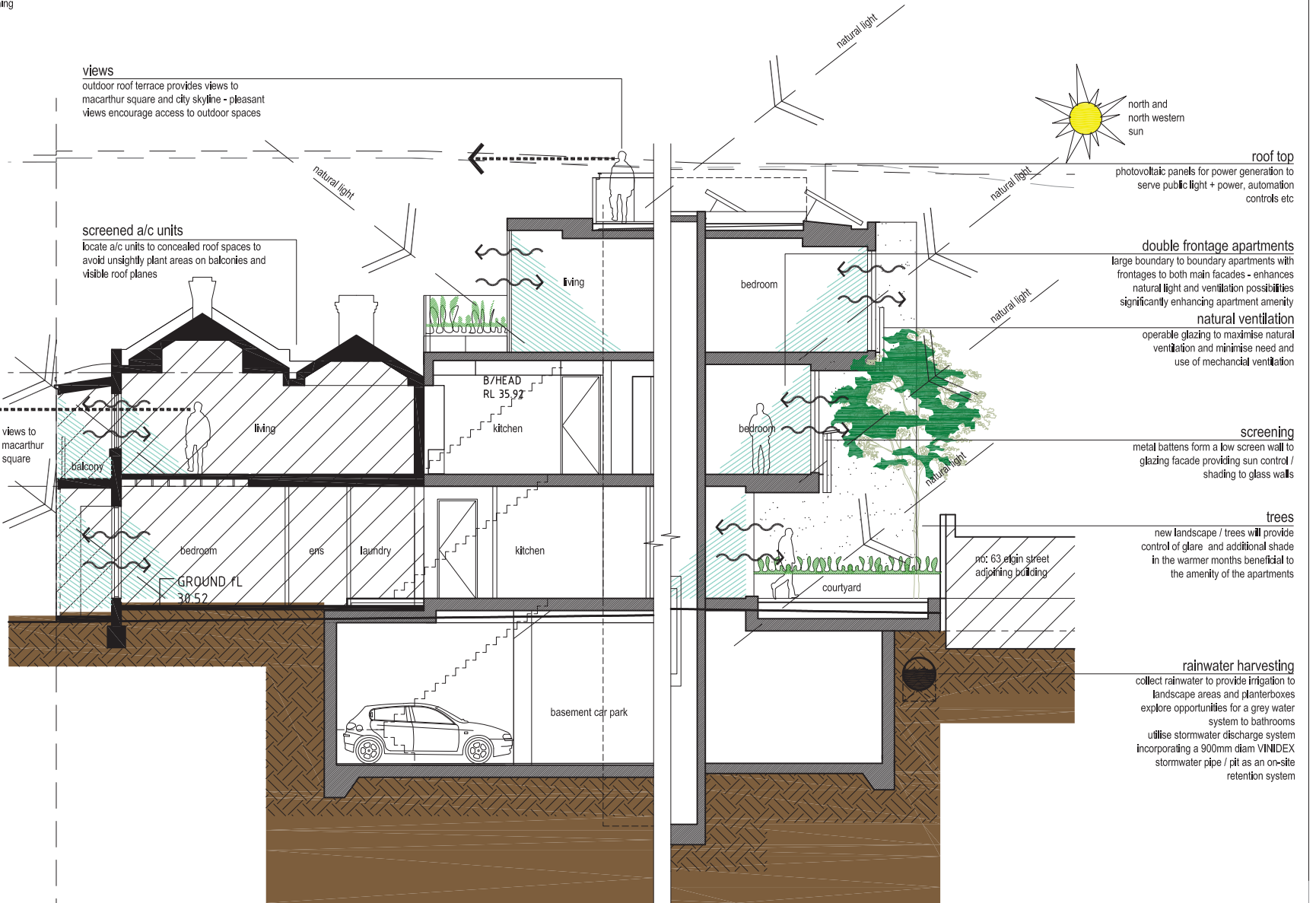
planting + trees create a pleasant, natural environment

MATERIALS

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

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

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



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP00_A4

Rev -

AMENDMENTS			
Rev	By	Date	Description
-		29.01.22	INITIAL ISSUE

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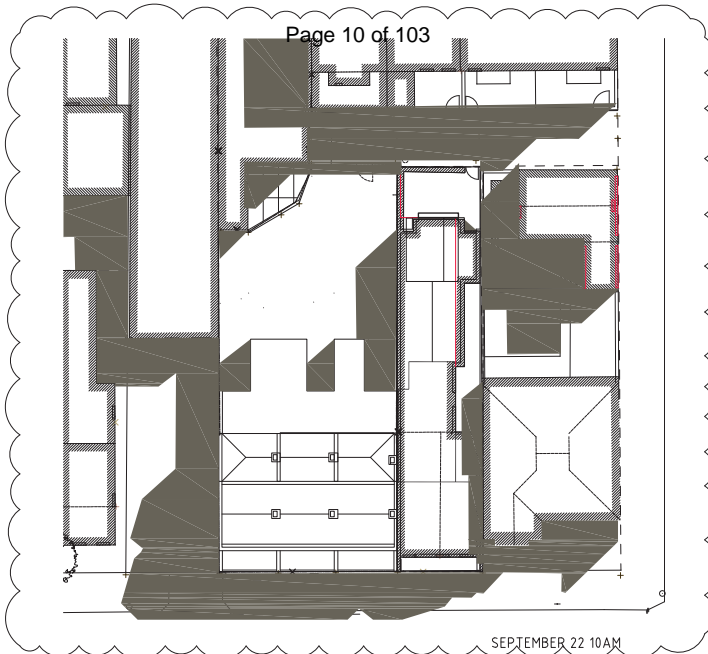
esd section

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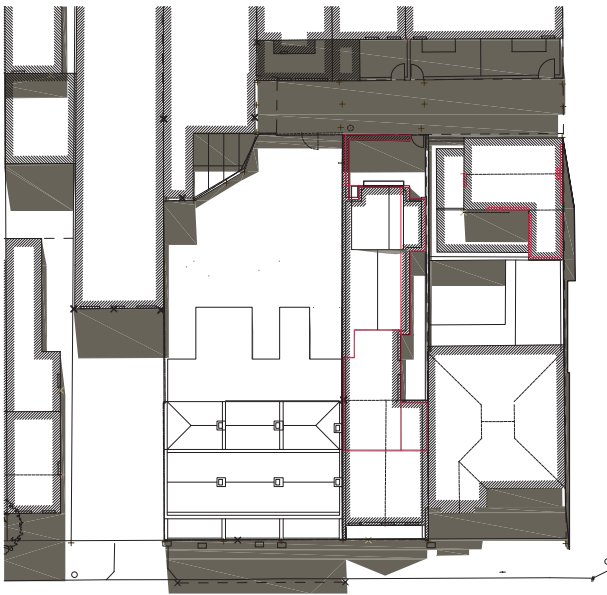
SEPTEMBER 22 9AM



SEPTEMBER 22 10AM



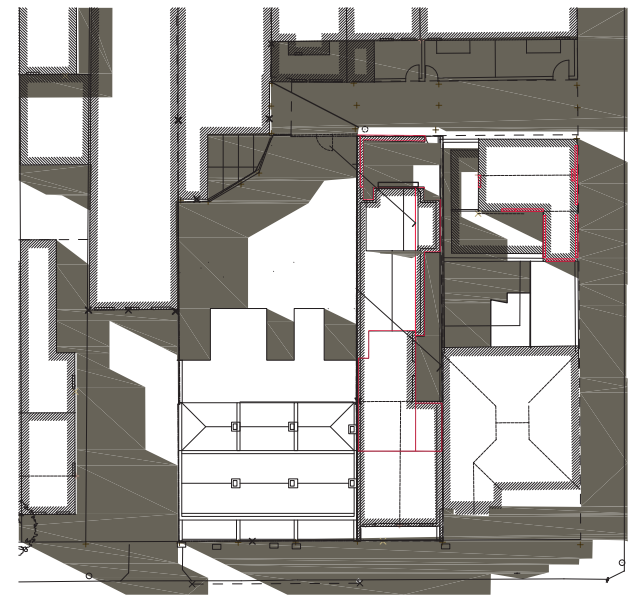
SEPTEMBER 11AM



SEPTEMBER 22 12PM



SEPTEMBER 22 2PM



SEPTEMBER 22 3PM

EXISTING SHADOW

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:350 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP00_A5

B

AMENDMENTS

Rev	By	Date	Description
-	-	20.01.22	INITIAL ISSUE
A	-	17.05.22	ADDITIONAL SHADOW TIMES / INCLUDE LEGEND
B	-	21.10.22	REVISE 10AM SHADOW / EX SHADOW 14 MACARTHUR

NOTES

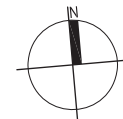
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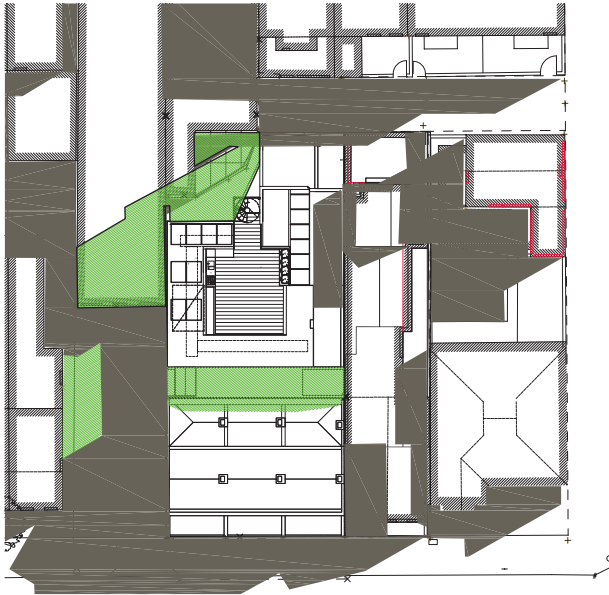
shadow studies - existing conditions



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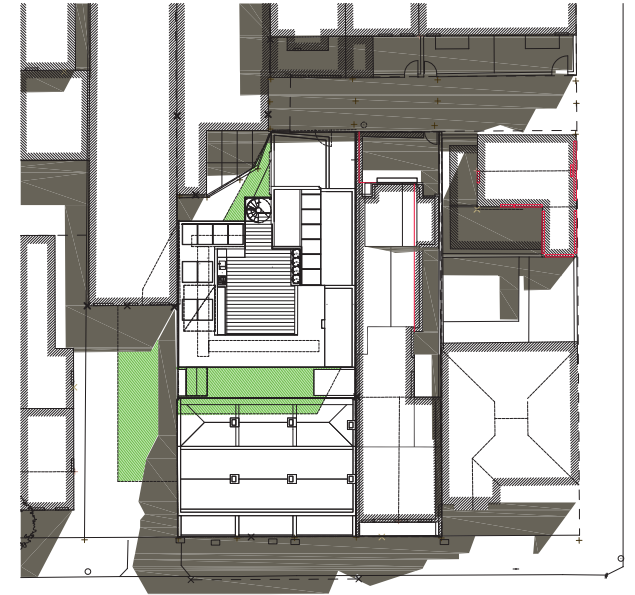
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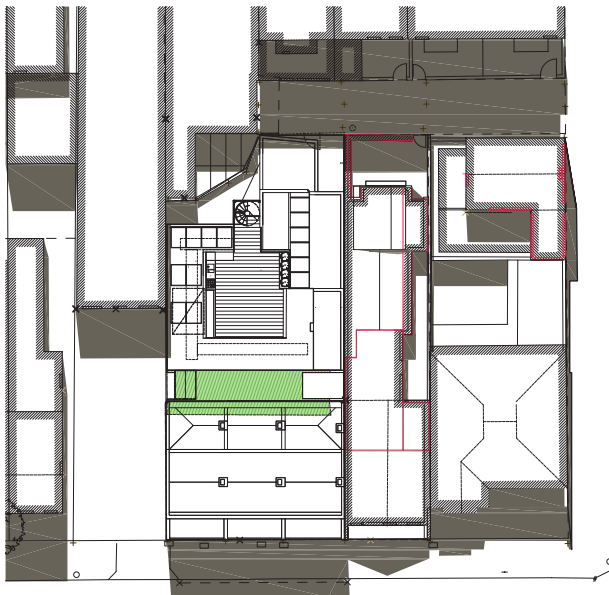
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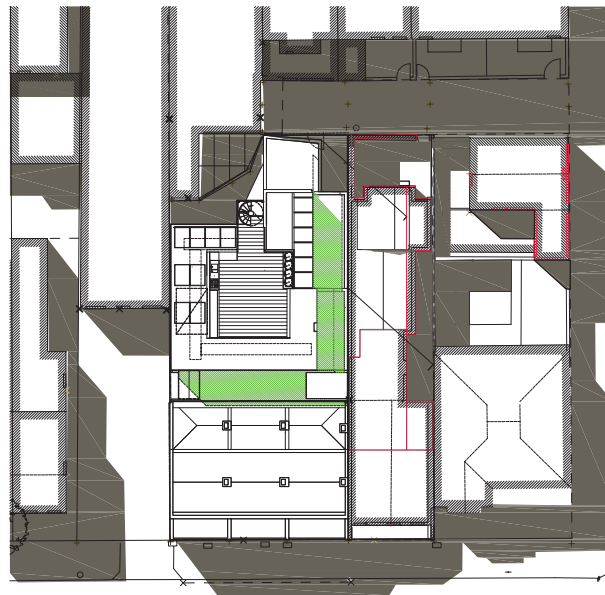
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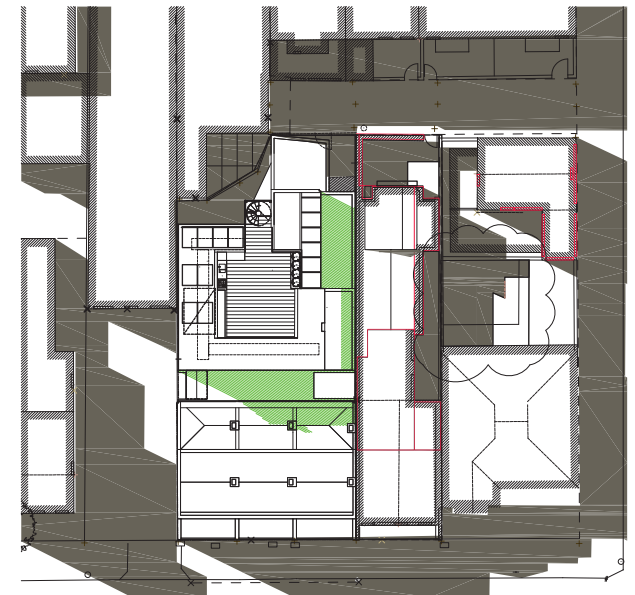
SEPTEMBER 11AM



SEPTEMBER 22 12PM



SEPTEMBER 22 2PM



SEPTEMBER 22 3PM

EXISTING SHADOW
 NEW SHADOW - PROPOSED WORKS

shadow studies - proposed building conditions

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:350 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP00_A6

Rev B

AMENDMENTS

Rev	By	Date	Description
-		20.01.22	INITIAL ISSUE
A		17.05.22	ADDITIONAL SHADOW TIMES / INCLUDE LEGEND
B		21.02.22	REVISE 3PM SHADOW / EX SHADOW 14 MACARTHUR

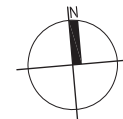
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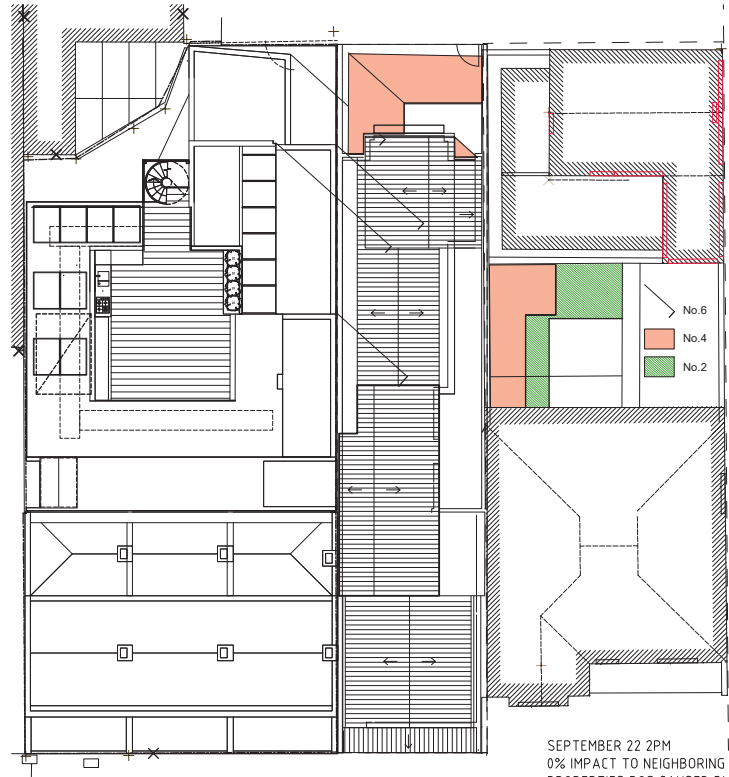
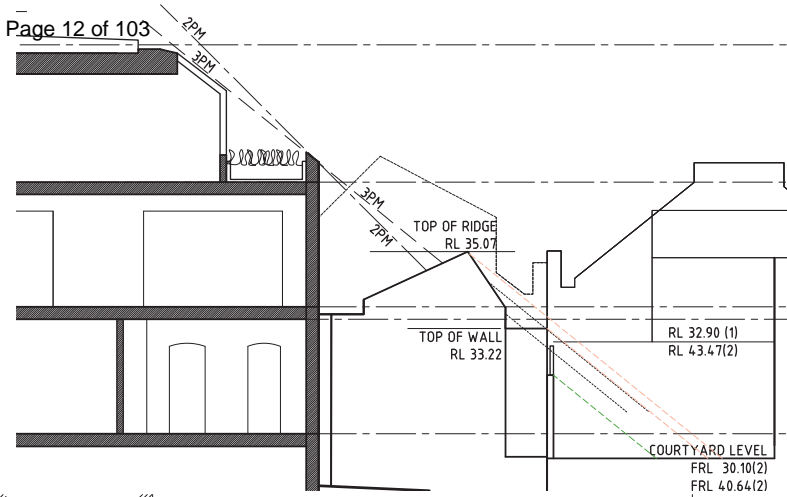


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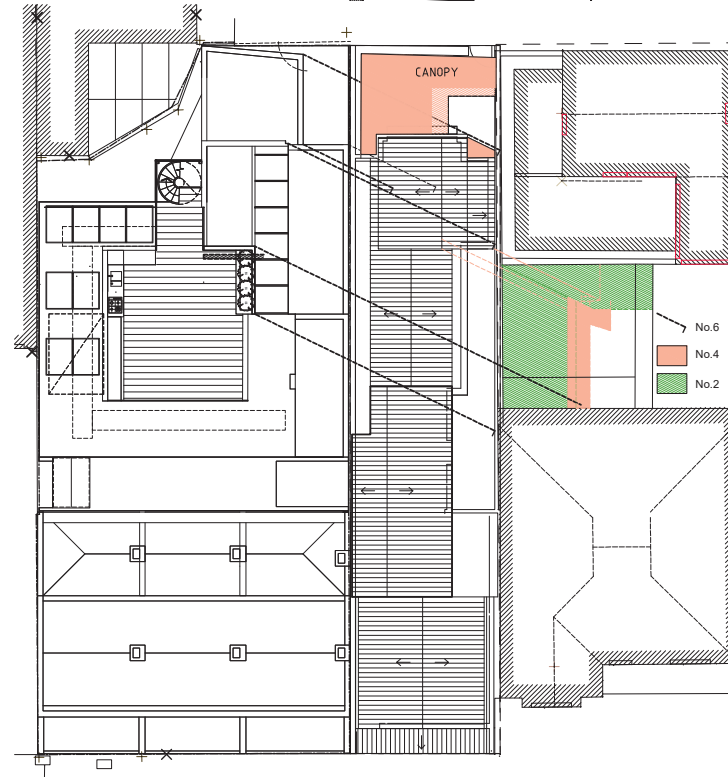
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C SECTION
SCALE 1:200



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



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

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:200 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP00_A7

Rev A

AMENDMENTS

Rev	By	Date	Description
-		28.01.22	INITIAL ISSUE
A		17.05.22	REVISE GRAPHICS

NOTES

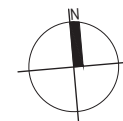
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shadow studies - impact on adjoining POS

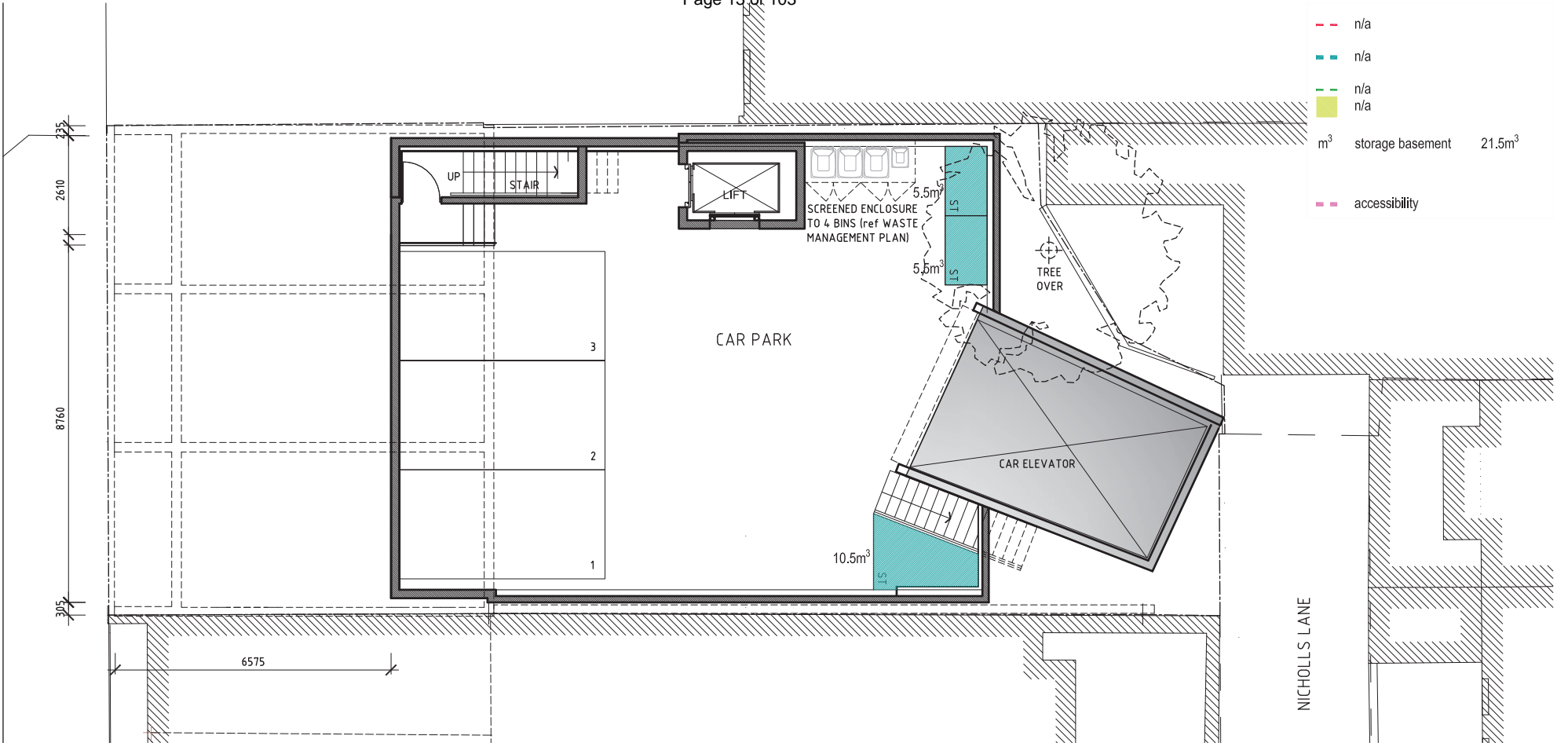


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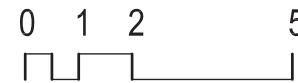
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MACARTHUR PLACE NORTH



- n/a
- n/a
- n/a
- n/a
- m³ storage basement 21.5m³
- accessibility



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100@A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP00_A08

Rev -

AMENDMENTS		
Rev	By	Description
-		20.01.22 Initial Issue

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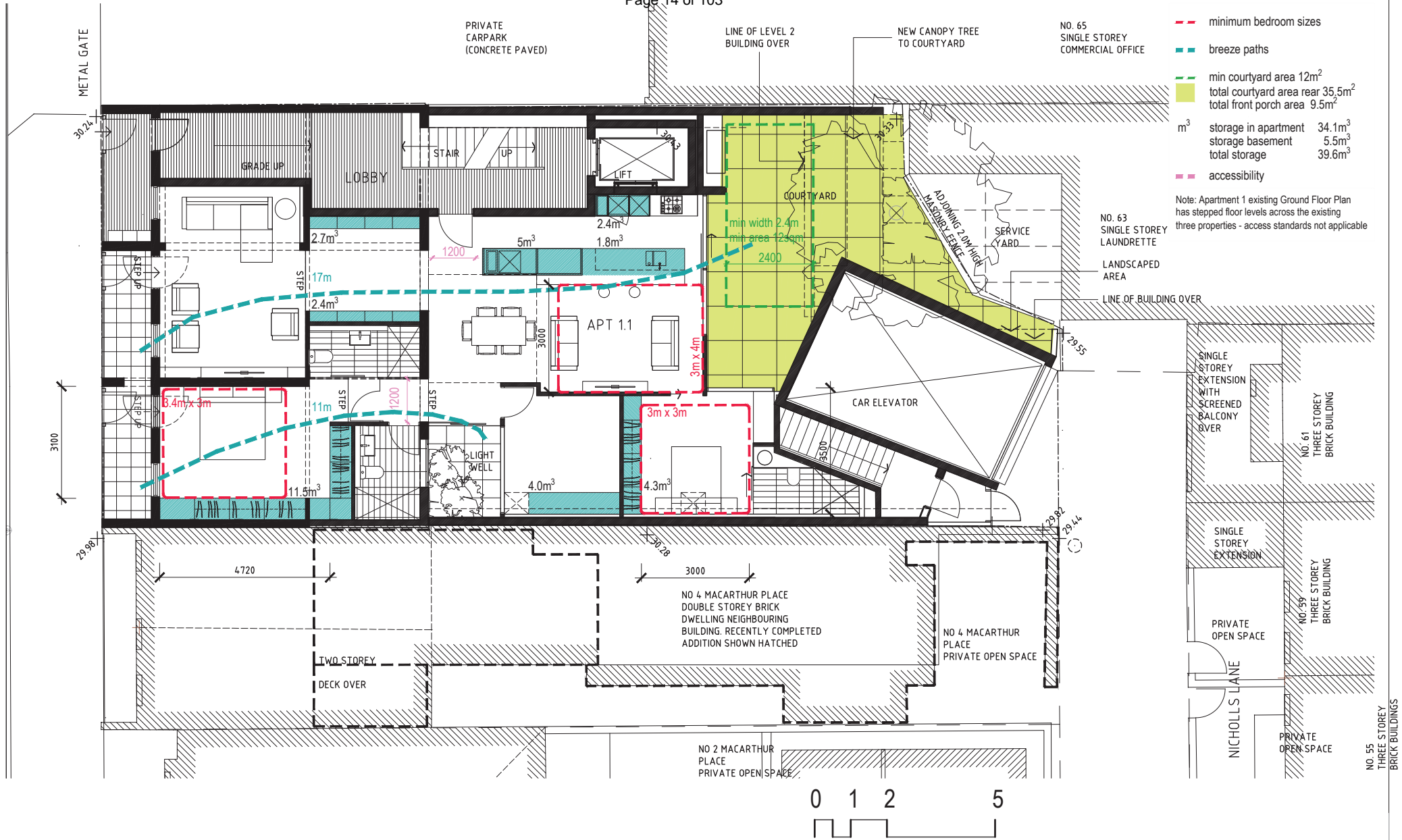
good design analysis - basement plan

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MACARTHUR PLACE NORTH



- minimum bedroom sizes
- breeze paths
- min courtyard area 12m²
- total courtyard area rear 35.5m²
- total front porch area 9.5m²
- m³ storage in apartment 34.1m³
- storage basement 5.5m³
- total storage 39.6m³
- accessibility

Note: Apartment 1 existing Ground Floor Plan has stepped floor levels across the existing three properties - access standards not applicable

Macarthur Place apartments

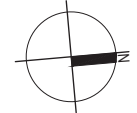
6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
 DATE JANUARY, 2022
 Project No [2]1711/3
 Dwg: TP00_A09

AMENDMENTS		
Rev	By	Date Description
-		20.01.22 Initial Issue

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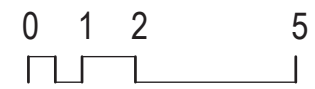
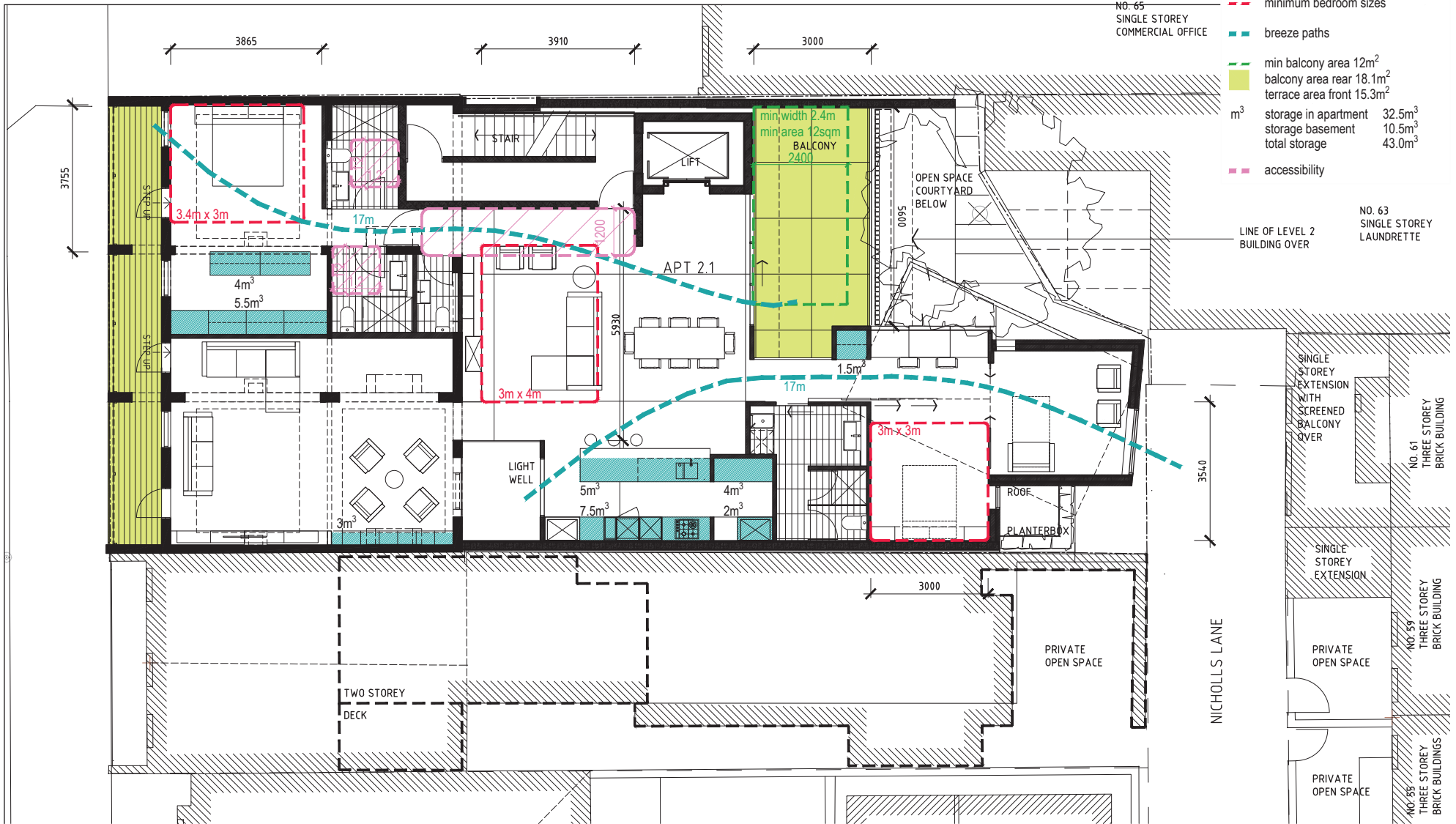
good design analysis - ground floor plan

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 ARCHITECTS

DP_TOSCANO ARCHITECTS (Vic) P/L
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 F: 03 9419 8344
 E: info@dp toscano architects.com

MACARTHUR PLACE NORTH

- NO. 65 SINGLE STOREY COMMERCIAL OFFICE
- minimum bedroom sizes
- - - breeze paths
- min balcony area 12m²
- balcony area rear 18.1m²
- terrace area front 15.3m²
- m³ storage in apartment 32.5m³
- storage basement 10.5m³
- total storage 43.0m³
- accessibility



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

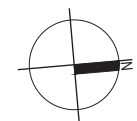
SCALE 1:100 @A3
 DATE JANUARY, 2022
 Project No [2]1711/3
 Dwg: TP00_A10

Rev -

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue

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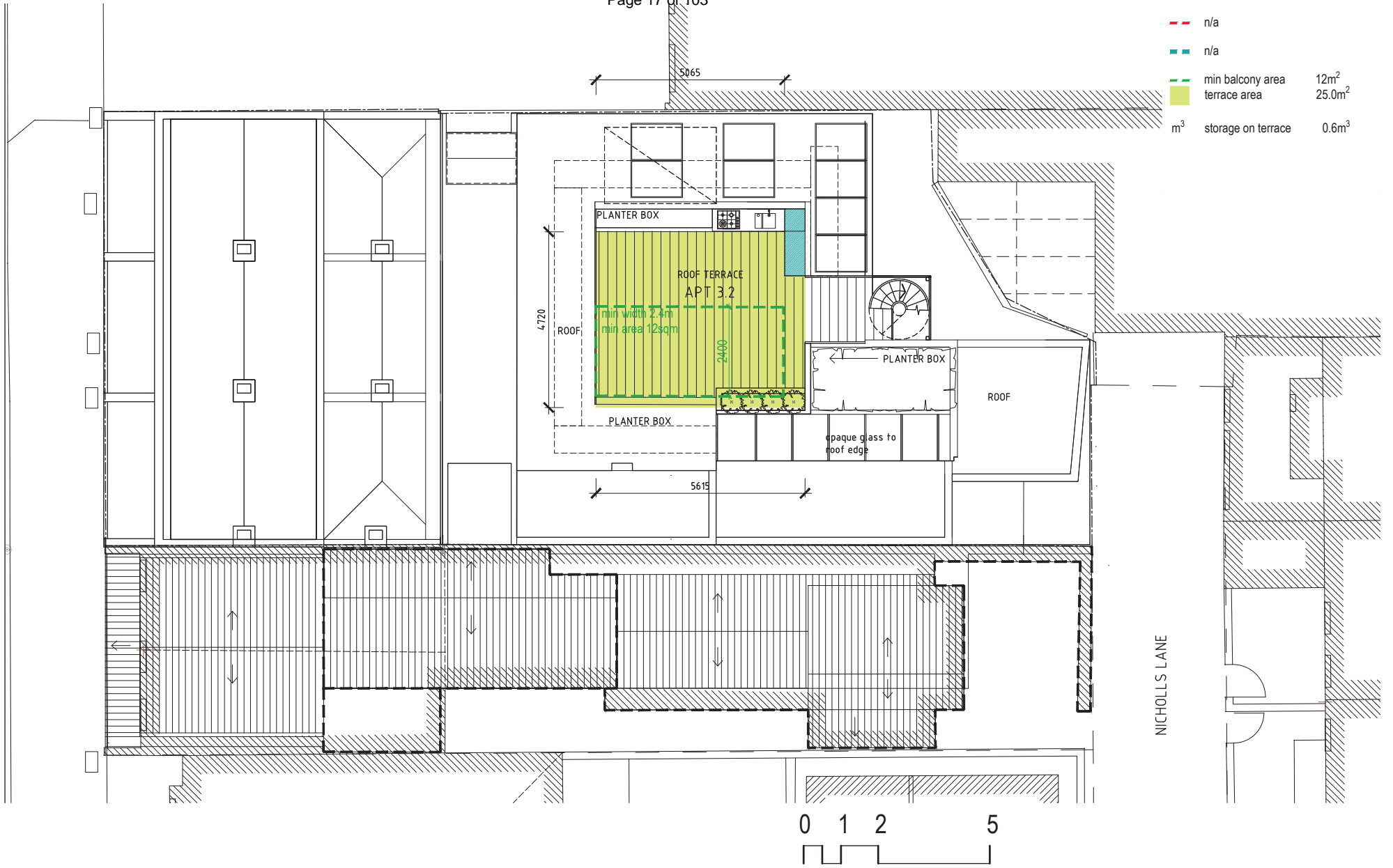
good design analysis - level 1 plan

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MACARTHUR PLACE NORTH

- n/a
- n/a
- min balcony area 12m²
- terrace area 25.0m²
- m³ storage on terrace 0.6m³



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

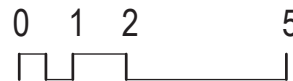
SCALE 1:100 @A3
 DATE JANUARY, 2022
 Project No [2]1711/3
 Dwg: TP00_A12

Rev -

AMENDMENTS		
Rev	By	Date Description
-		20.01.22 Initial Issue

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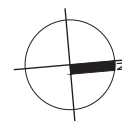
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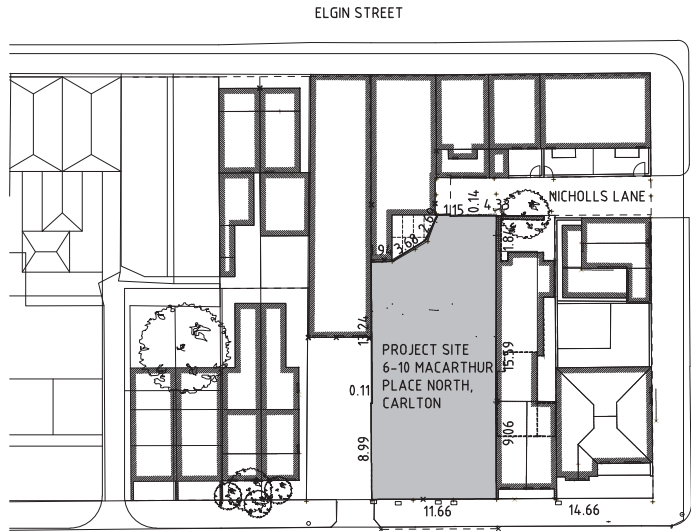


good design analysis - roof plan

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CANNING STREET

RETAIN 1No EXISTING OPENING INCL. SILL AND HEAD DETAIL

NEW OPENINGS TO BRICK WALLS AS SHOWN

NEW GALVANISED FINISH CORRUGATED IRON ROOFING TO RECLAD ALL RETAINED HERITAGE BUILDING ROOF FORMS. REPLACE FLASHINGS, CAPPINGS, GUTTERS ETC. ALL TO MATCHING EXISTING CONDITIONS

DEMOLISH AND REMOVE EXIST. TIMBER RAIL BALUSTRADE AND FENCING

NEW GALVANISED FINISH CORRUGATED IRON ROOFING TO RECLAD ALL RETAINED HERITAGE BUILDING ROOF FORMS. REPLACE FLASHINGS, CAPPINGS, GUTTERS ETC. ALL TO MATCHING EXISTING

DEMOLISH SINGLE STOREY SKILLION ROOF ADDITIONS

PART REMOVAL / RECONSTRUCTION OF EXISTING SIDE WALL STRUCTURE TO ALLOW EXCAVATION, PROPPING AND CONSTRUCTION OF BASEMENT

MAKE GOOD RENDER TO EXISTING BRICK WALLS. REMOVE LOOSE / FLAKY RENDER AND REPLACE TO MATCH EXISTING

DEMOLISH SINGLE STOREY SKILLION ROOF-ADDITIONS

PART REMOVAL / RECONSTRUCTION OF EXISTING SIDE WALL STRUCTURE TO ALLOW EXCAVATION, PROPPING AND CONSTRUCTION OF BASEMENT

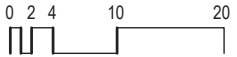
HERITAGE WORKS SPECIFICATION NOTES

- GENERAL SCOPE
DEMOLITION
DEMOLISH AND REMOVE ALL BUILT FORM / STRUCTURES TO THE REAR OF THE PROPERTIES, GENERALLY IDENTIFIED AS ROOMS BELOW THE SKILLION ROOF FORMS.
PRINCIPAL BUILT FORMS OF THE HERITAGE PLACE COMPRISE THE FRONT TWO ROOMS / FRONT TWO ROOF PITCHES TO EACH OF THE THREE ADJOINING PROPERTIES. REMOVE DEGRADED BUILDING FABRIC, PRINCIPALLY
- ROOFING IRON,
 - BROKEN RENDERED SURFACES,
 - TIMBER BEAM DETAIL VERANDAH BALUSTRADE
 - ALL SOUTH FACING TIMBER WINDOWS AND DOORS
 - TIMBER FENCING TO PROPERTY LINE / PROPPING POSTS
 - ENTRY PAVING TILES
 - EXPOSED AND REDUNDANT BUILDING SERVICES

- NEW BUILDING SCOPE
- REPLACE ROOFING
 - MAKE GOOD MASONRY WALLS
 - REMOVE OLD WINDOWS / DOORS AND REINSTATE NEW
 - FORM NEW VERANDAH BALUSTRADES, GENERALLY 40 X 40MM ALUMINIUM BOX SECTIONS AT 120MM CENTRES, WITH 70 X 70MM MATCHING TOP AND BOTTOM RAIL, BLACK BRONZE POWDERCOAT FINISH.
 - PROPERTY FENCING AND GATES TO MATCH BALUSTRADE.
 - NEW GROUND FLOOR VERANDAH PAVING AND LANDSCAPE



1 SITE PLAN SCALE 1:500



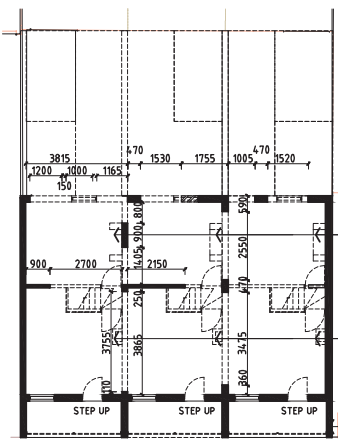
Area Summary
Design Response

Level	Apartment	Private Open Space	Common Area	Gross Floor Area	Cars				
	No.	Type	Area	Balconies	Terrace	Courtyd	Total Apartment Area		
B			175						
G	1.1	2bed+Study	143		10	35	188	24	177
1	2.1	2bed+Study	194	18	15		227		247
2	3.1	2bed+Study	87	16			103		236
R	3.2				32		32		141
Totals			599	34	57		560	24	801

APARTMENTS 3
CARS 3

Site Area m² 291
Site Coverage % 86%
Site Permeability % 14%

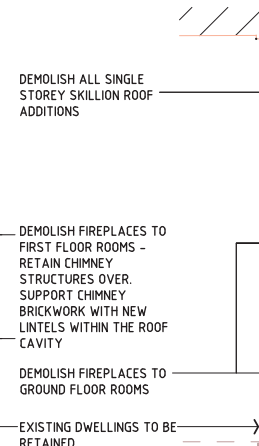
4 DEMOLITION SOUTH ELEVATION



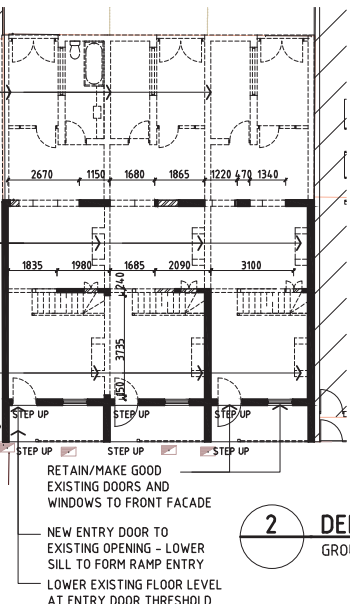
3 DEMOLITION LEVEL 1 SCALE 1:200



5 DEMOLITION EAST ELEVATION



2 DEMOLITION GROUND SCALE 1:200



site plan + demolition

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:500 @A3 / 1:200 @A3
DATE JANUARY, 2022

Project No [2]1711/3
Dwg: TP01

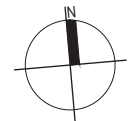
Rev A

AMENDMENTS

Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	NEW DRAWINGS SHOWING SCOPE OF DEMOLITION

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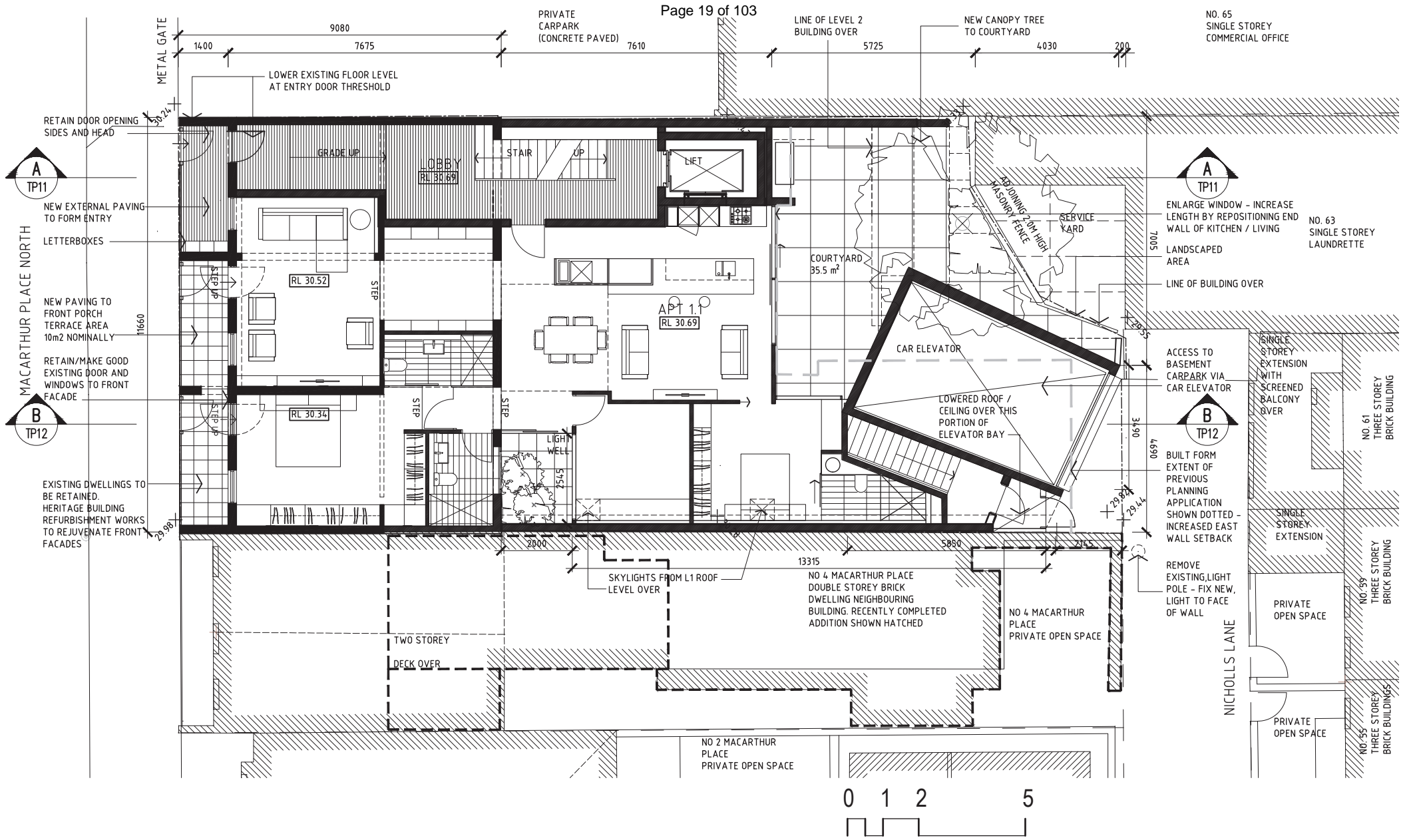
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

Project No [2]1711/3
Dwg: TP02

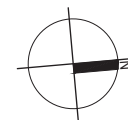
Rev -

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue

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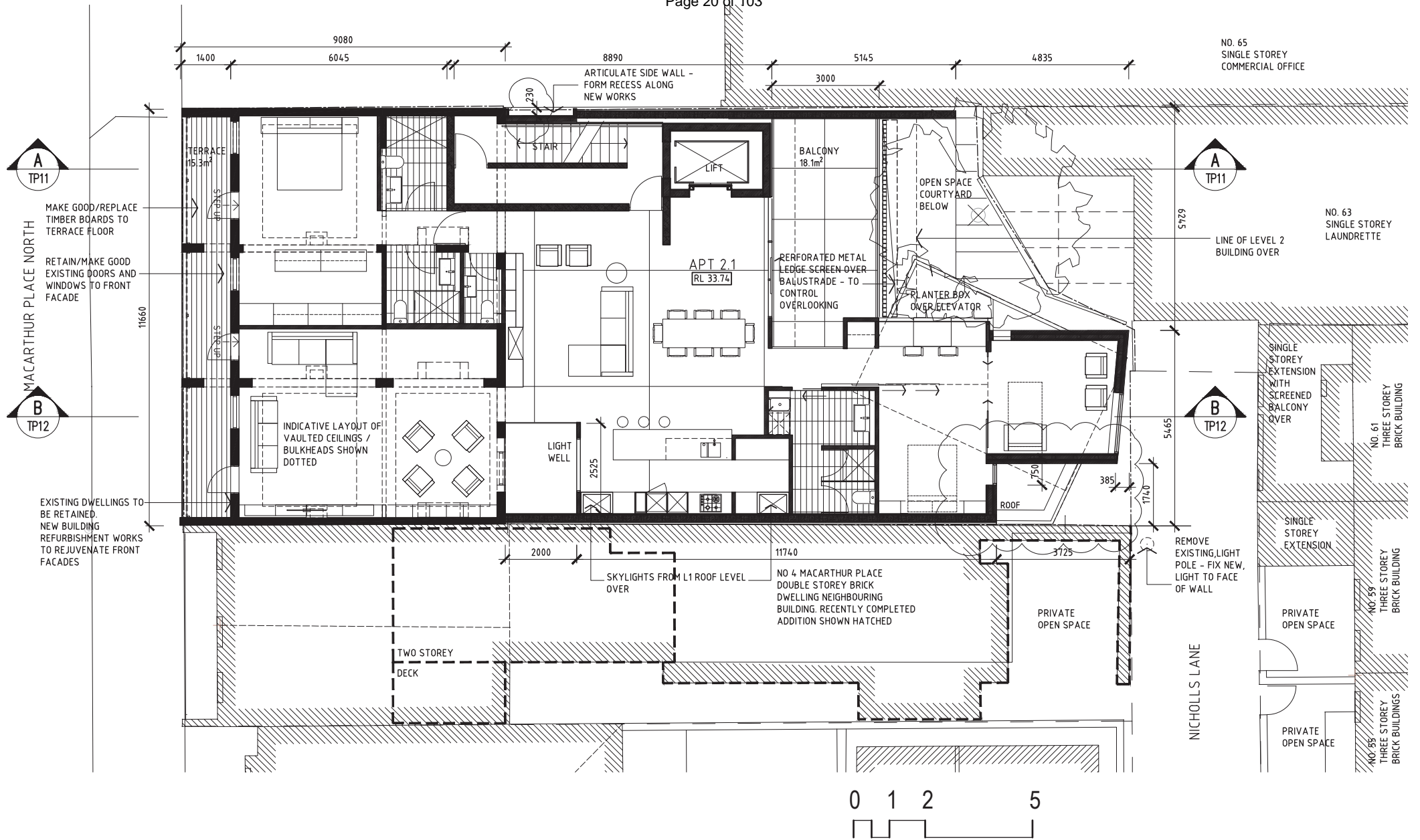


ground floor plan

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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

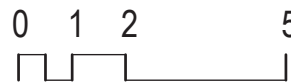
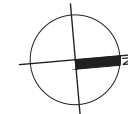
Project No [2]1711/3
Dwg: TP03

Rev A

AMENDMENTS		
Rev	By	Description
-		20.01.22 Initial Issue
A		26.05.22 DELETE PLANTERBOX N-E CORNER

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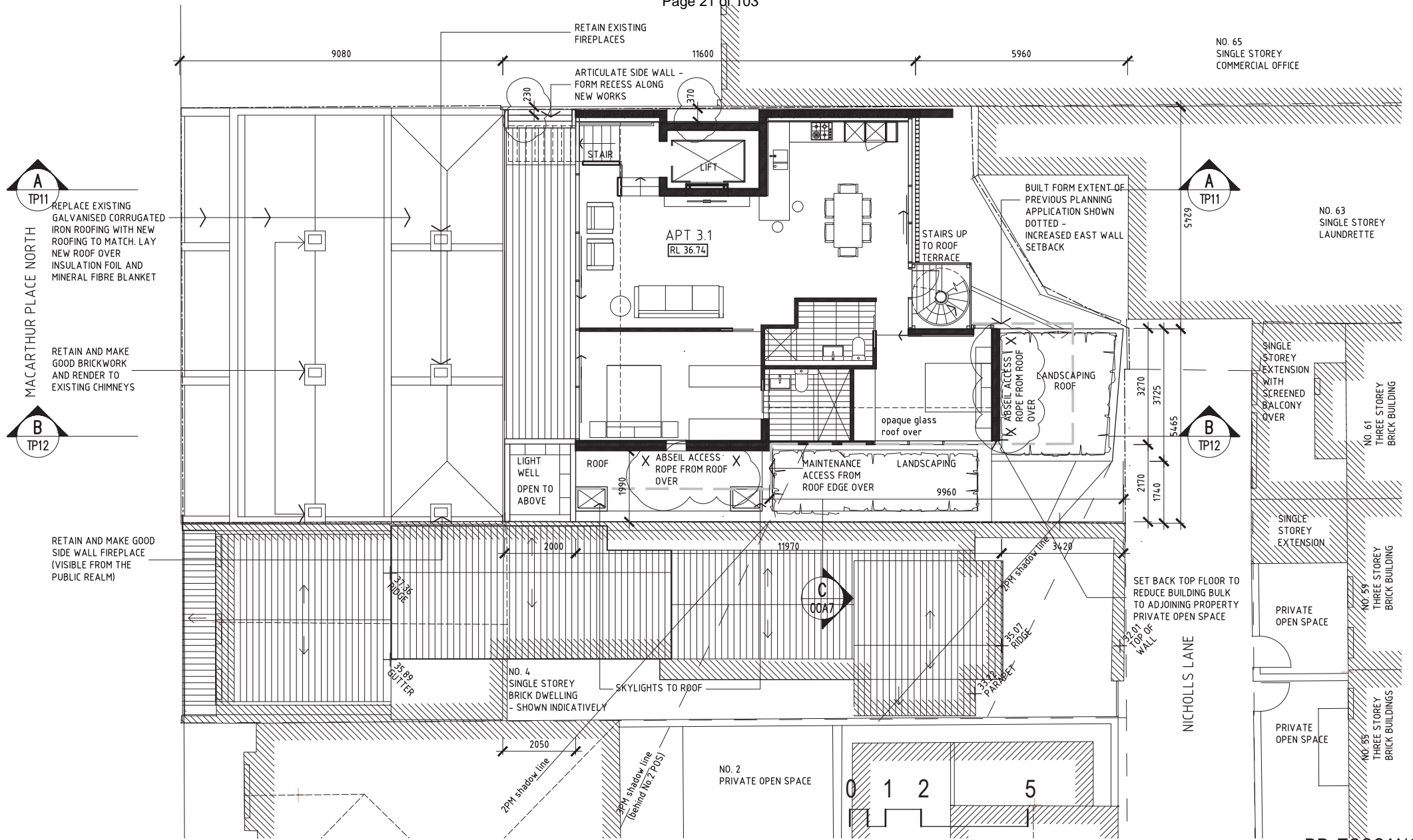


level 1 plan

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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

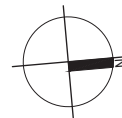
Project No [2]1711/3
Dwg: TP04

Rev A

Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	NEW NOTES FOR ROOF ACCESS POINTS EAST AND NORTH FACADES

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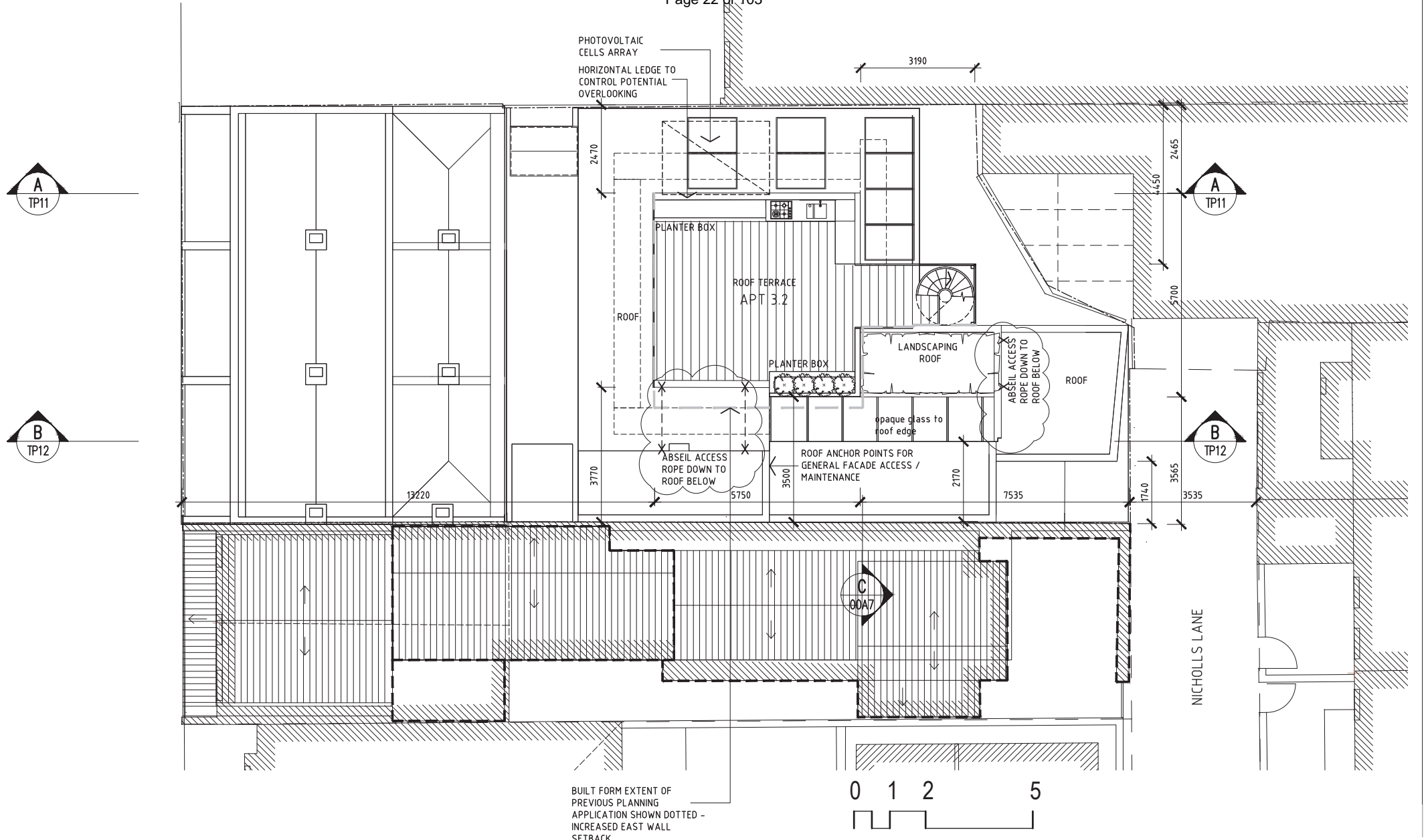


level 2 plan

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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

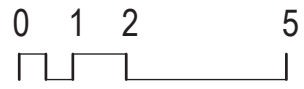
Project No [2]1711/3
Dwg: TP05

Rev A

AMENDMENTS		
Rev	By	Date Description
-		20.01.22 Initial Issue
A		26.05.22 NEW NOTES FOR ROOF ACCESS POINTS EAST AND NORTH FACADES

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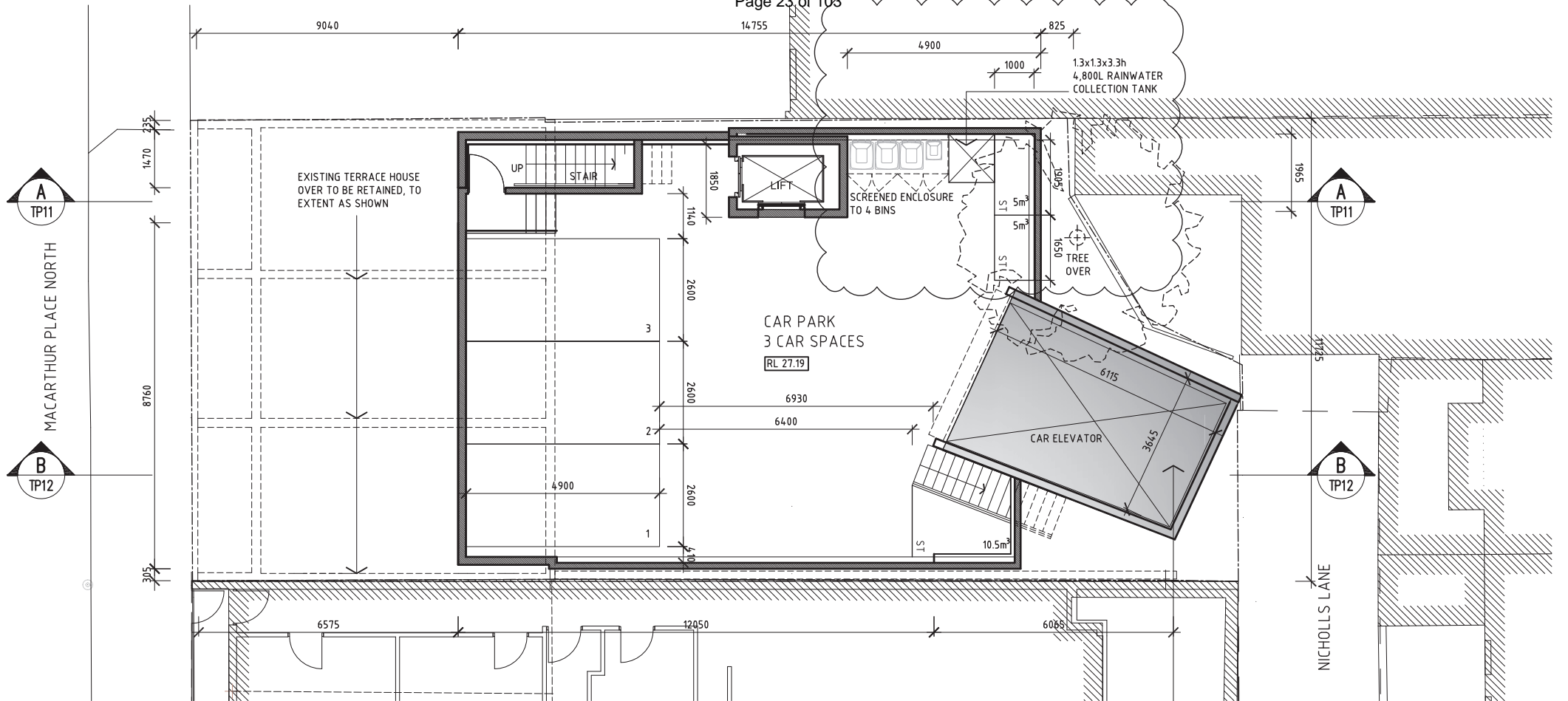
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roof plan

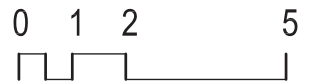
DP_TOSCANO
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**CAR ELEVATOR:
GENERAL SPECIFICATION**

MANUFACTURER - LEVANTAPARK
 MODEL - WEMP30187605: Custom Vehicle Hoist
 PLATFORM SIZE - 5400mm x 3600mm Minimum
 STANDARD LIFTING HEIGHT - 3000MM
 PLATFORM CAPACITY - 3000kgs



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100@A3
 DATE JANUARY_2022

Project No [2]1711/3
 Dwg: TP06

Rev A

AMENDMENTS		
Rev	Date	Description
-	20.01.22	Initial Issue
A	6.07.22	Increase size of rainwater tank

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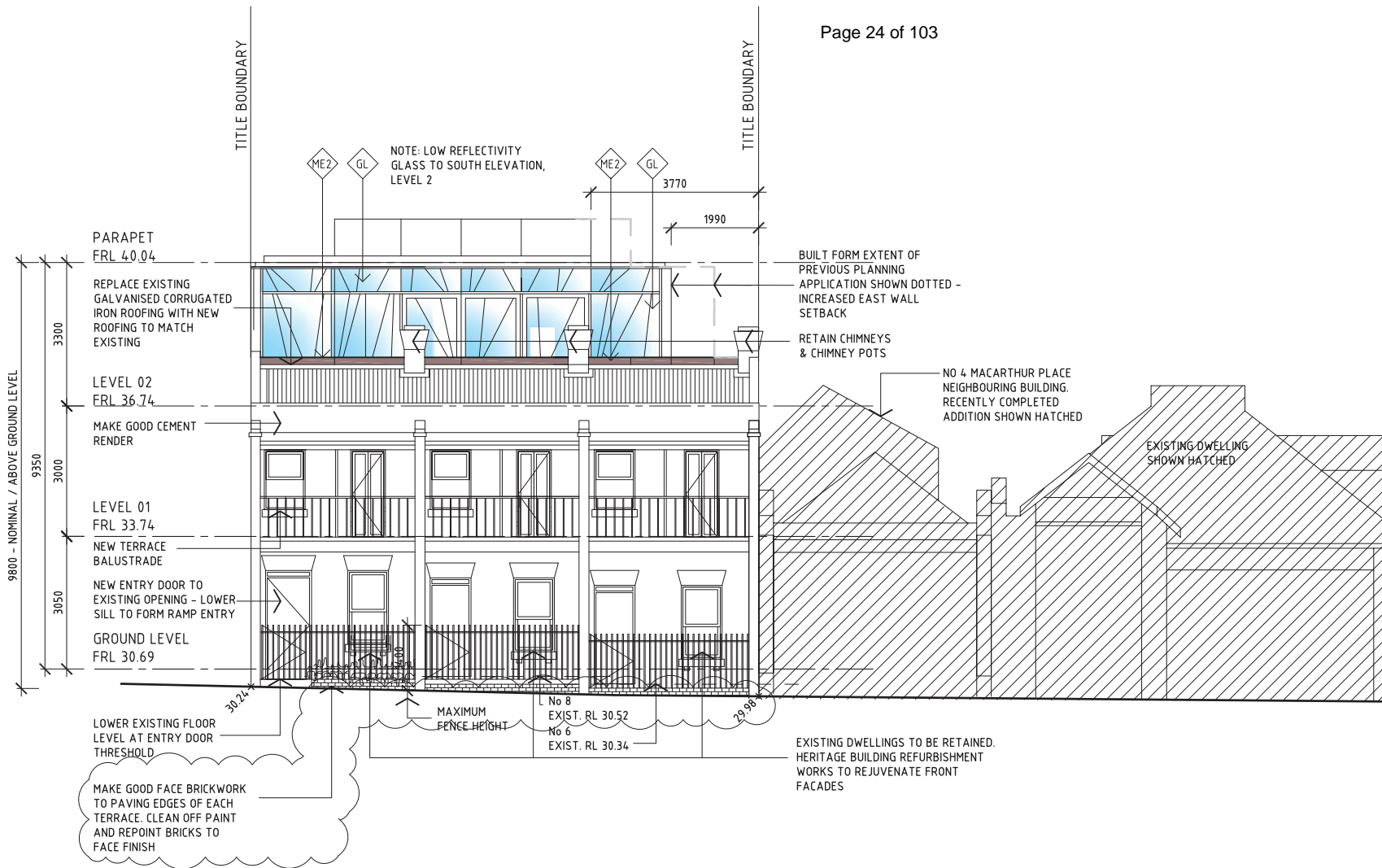
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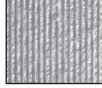







DP_TOSCANO
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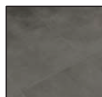

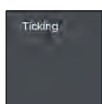
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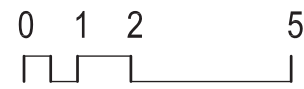


FINISHES LEGEND

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

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

- 
FLAT METAL PANEL WALL CLADDING (perforated to carpark screen)
 dark grey patinated natural zinc
 
- 
NATURAL CEMENT GREY OXIDE PAINT FINISH TO EXISTING RENEDERED WALLS

- 
SOLID PORCELAIN EXTERNAL TILES - COLOUR GRIGIO

- 
PAINT COLOUR EXTERNAL TIMBER TRIMS TO WINDOWS, DOORS DULUX TICKING


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



south elevation

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP07 Rev A

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	ADD NOTE TO MAKE GOOD EXIST, BRICK TRIMS / UPDATE FINISHES

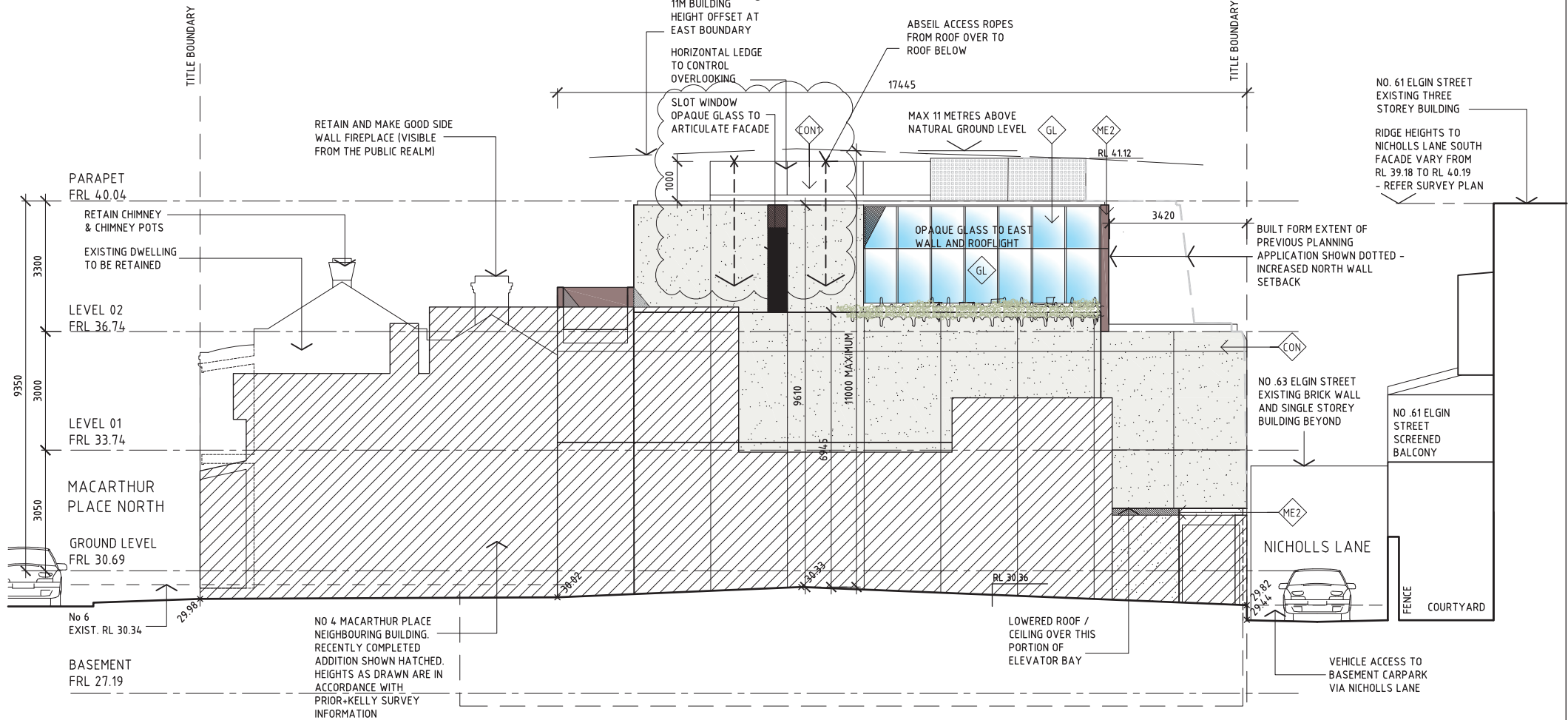
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east elevation

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP08

Rev A

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	ROOF ACCESS EAST AND NORTH FACADES

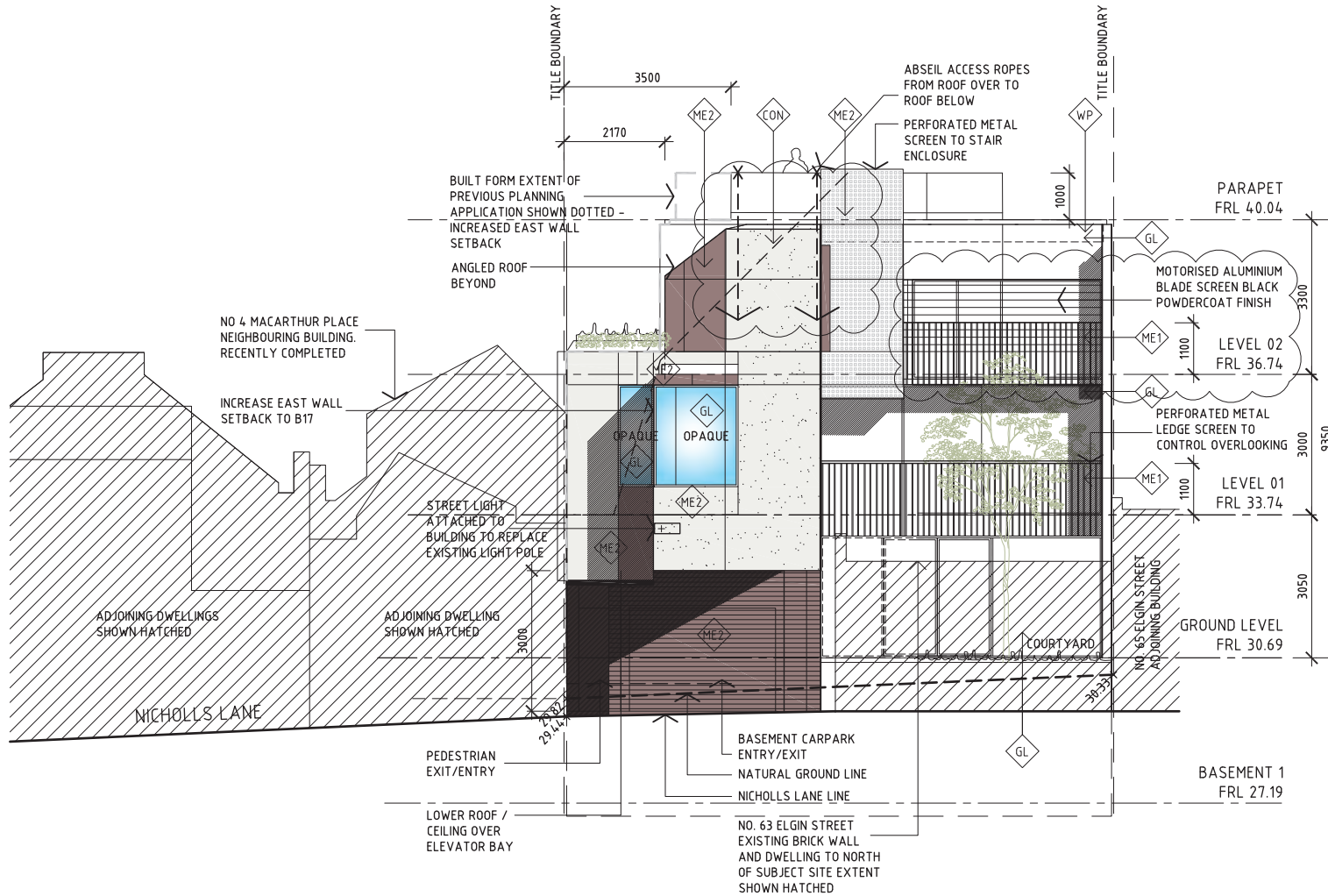
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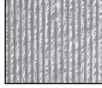





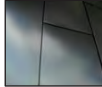



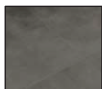

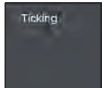
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FINISHES LEGEND

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

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

- 
FLAT METAL PANEL WALL CLADDING (perforated to carpark screen)
 dark grey patinated natural zinc
 
- 
NATURAL CEMENT GREY OXIDE PAINT FINISH TO EXISTING RENDERED WALLS

- 
SOLID PORCELAIN EXTERNAL TILES - COLOUR GRIGIO

- 
PAINT COLOUR EXTERNAL TIMBER TRIMS TO WINDOWS, DOORS DULUX TICKING


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



north elevation

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP09

Rev A

AMENDMENTS

Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	ROOF ACCESS EAST AND NORTH FACADES / UPDATE FINISHES OPERABLE SUNSCREEN TO LEVEL 2 WINDOW

NOTES

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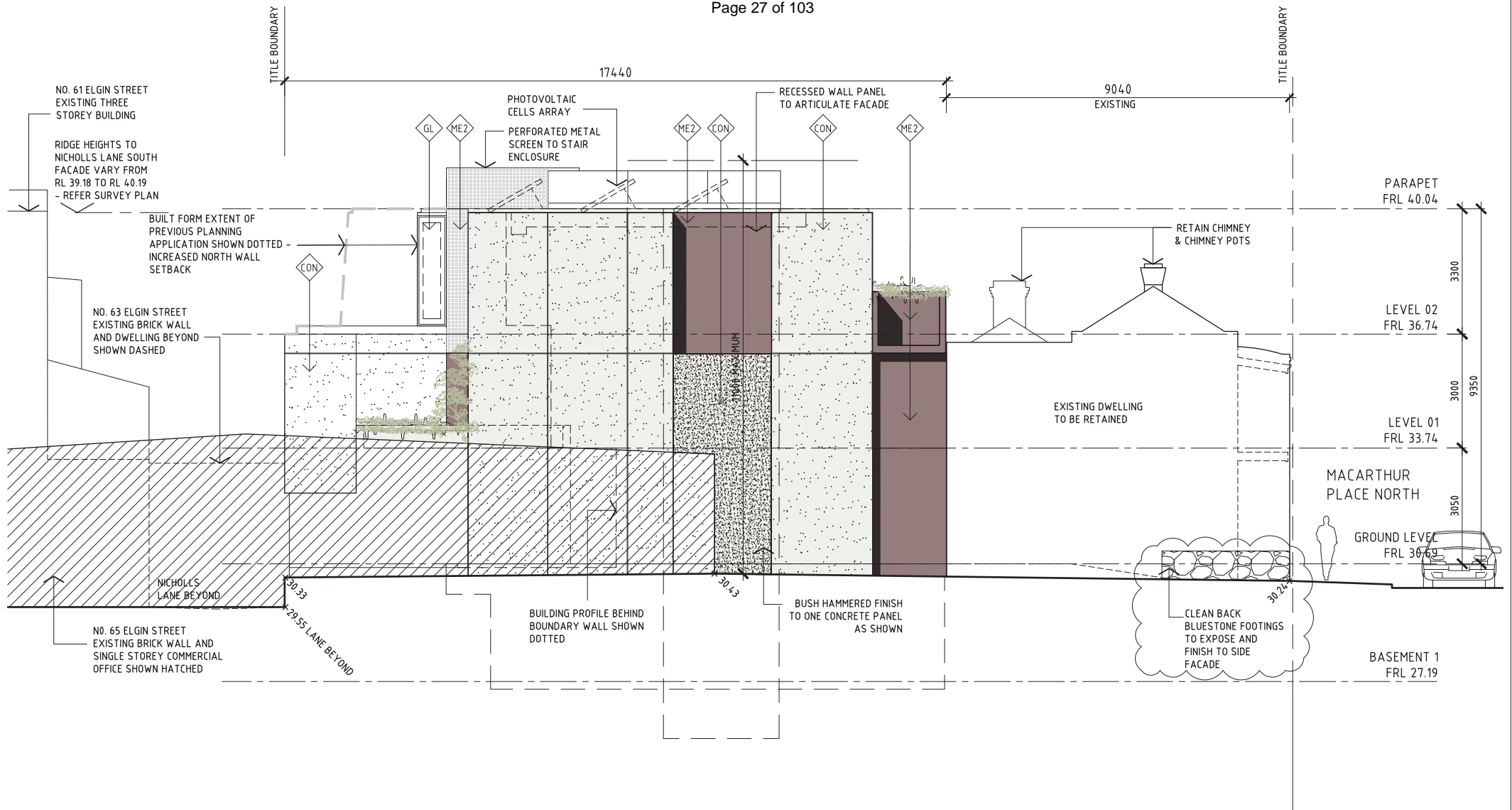
NOTES

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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

Project No [2]1711/3
Dwg: TP10

Rev A

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue
A		26.05.22	NOTE FINISH TO BLUESTONE FOOTINGS

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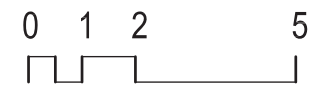
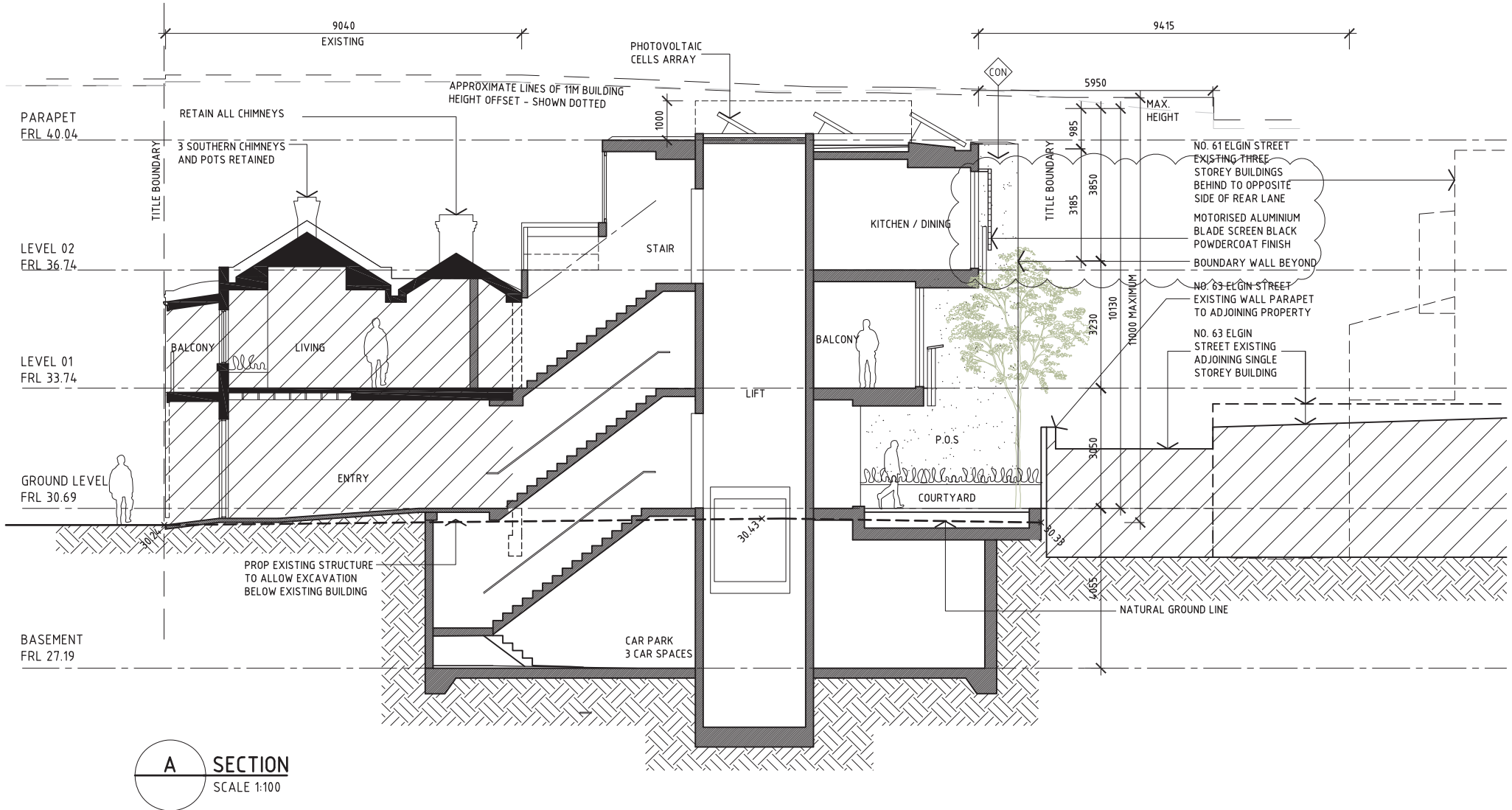
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west elevation

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section 1

Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY_2022

Project No [2]1711/3
Dwg: TP11

Rev A

AMENDMENTS		
Rev	By	Date Description
-		20.01.22 Initial Issue
A		6.07.22 OPERABLE SUNSCREEN TO LEVEL 2 NORTH WALL

NOTES
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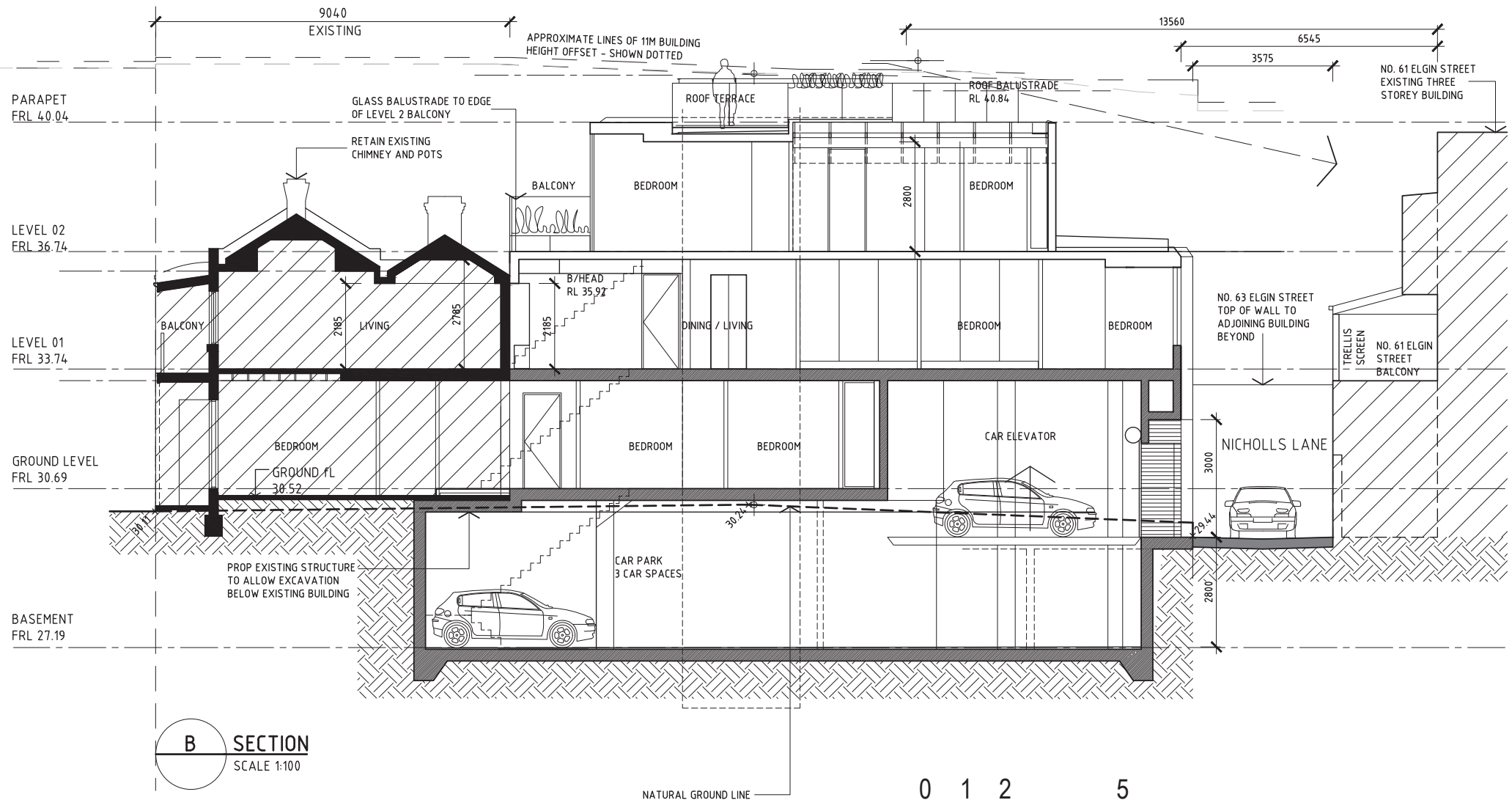
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Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE JANUARY, 2022

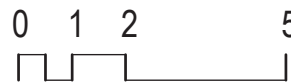
Project No [2]1711/3
Dwg: TP12

Rev -

AMENDMENTS	
Rev	Date Description
-	20.01.22 Initial Issue

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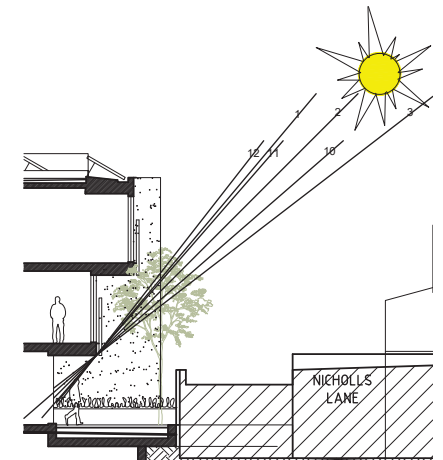
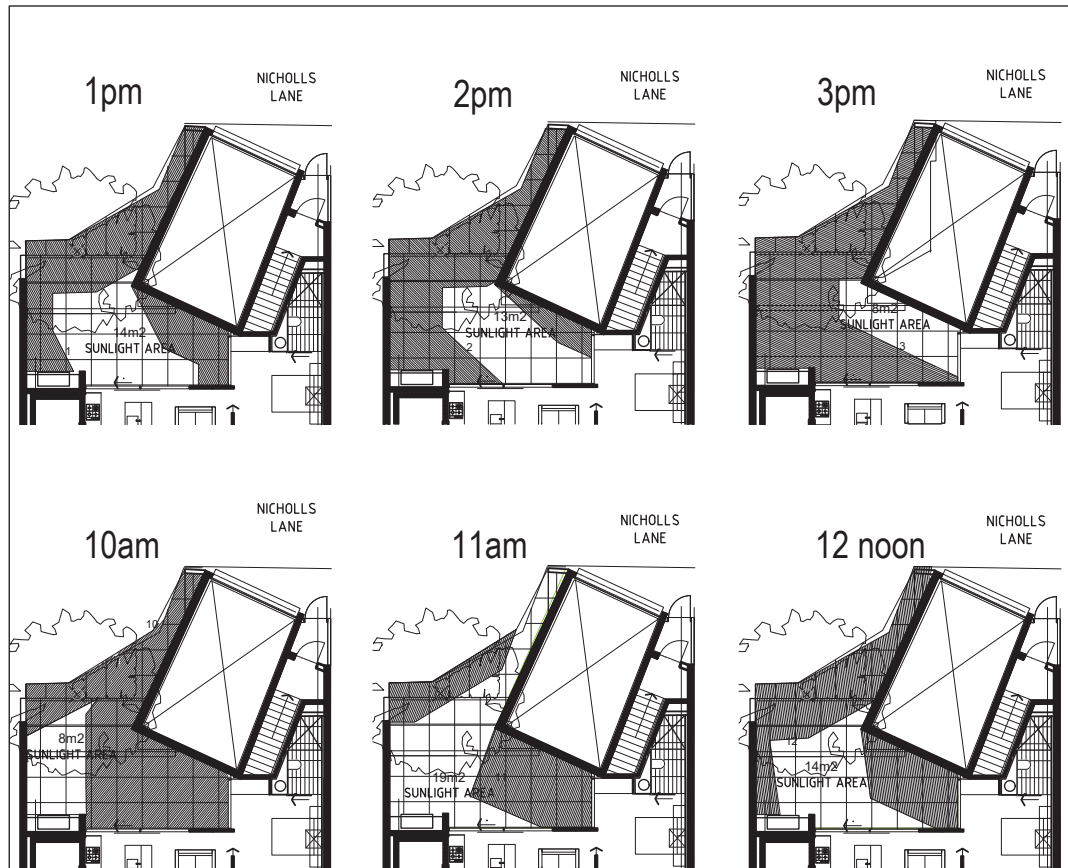
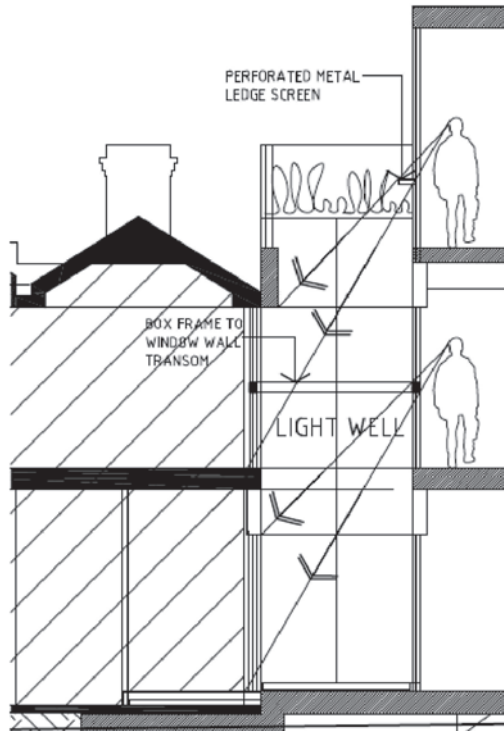


section 2

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1 SECTION: internal sight lines
SCALE 1:75

2 POS shadow analysis
SCALE 1:200



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:100 @A3
DATE APRIL_2020

Project No [2]1711/3
Dwg: TP13

AMENDMENTS			
Rev	By	Date	Description
-		20.1.22	Initial Issue

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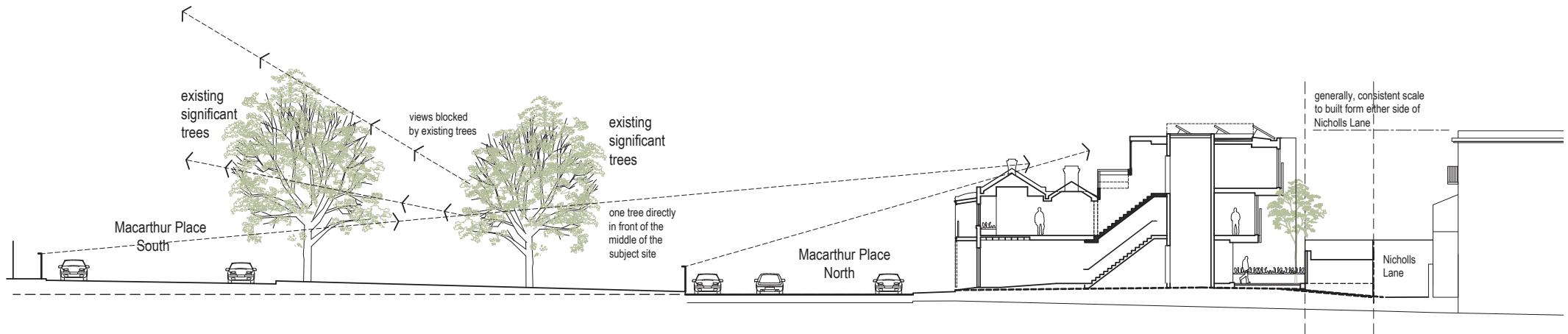
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internal amenity analysis

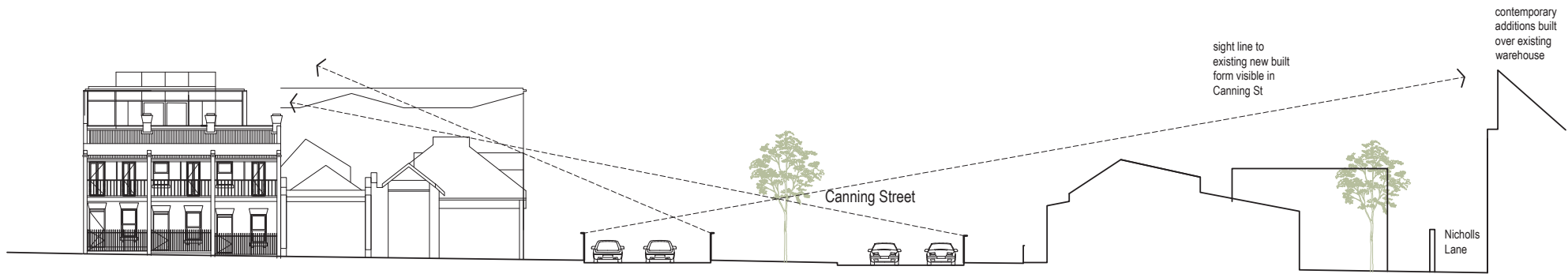
DP_TOSCANO
ARCHITECTS

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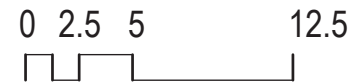
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A STREETScape SECTION
SCALE 1:250



B STREETScape ELEVATION
SCALE 1:250



Macarthur Place apartments

6-10 Macarthur Place North, Carlton

SCALE 1:250 @ A3
DATE JANUARY, 2022

Project No [2]1711/3
Dwg: TP14

Rev -

AMENDMENTS			
Rev	By	Date	Description
-		20.01.22	Initial Issue

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streetscape elevation & cross section

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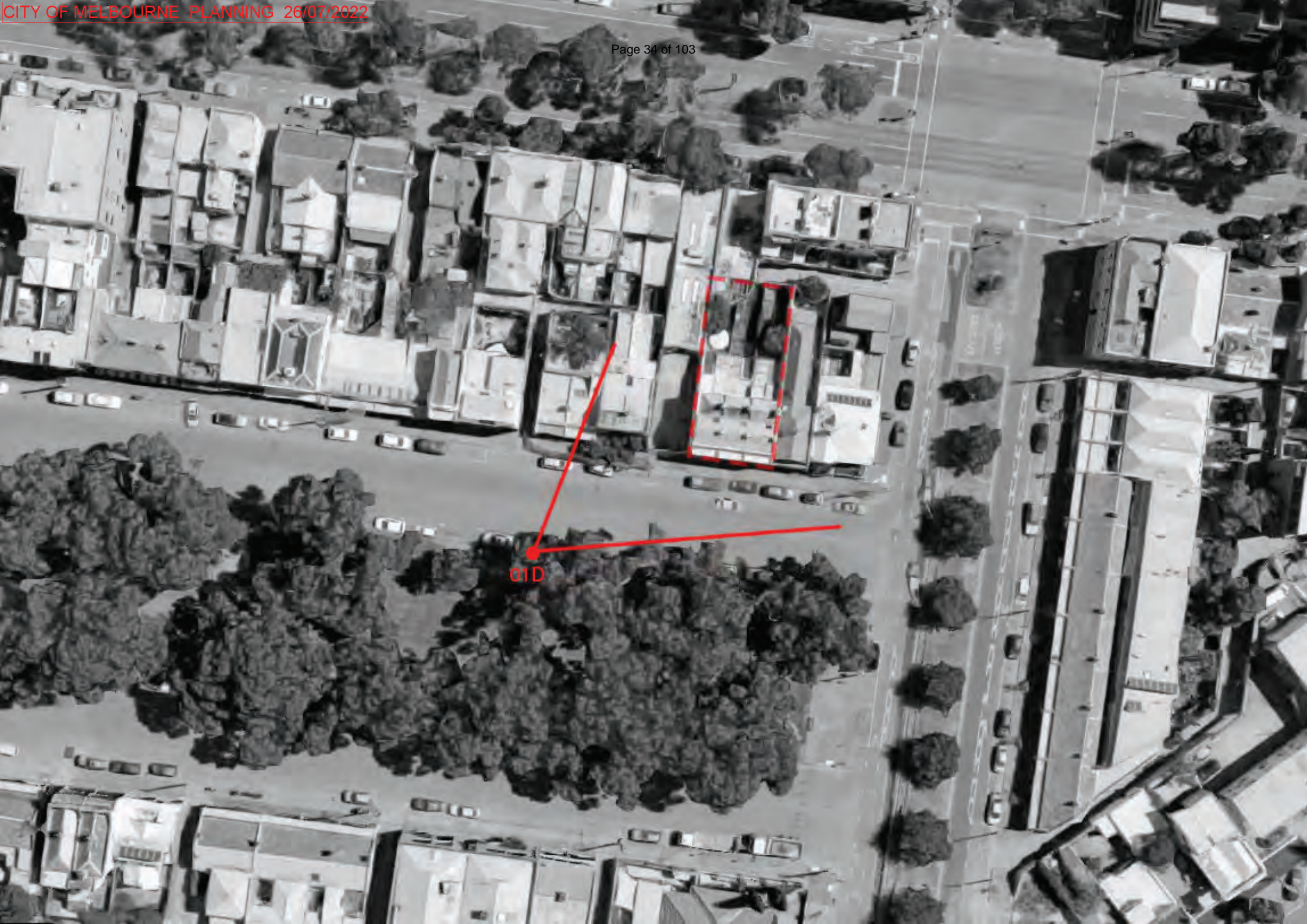
PHOTOGRAPHY LOCATIONS>



IMAGE 01D > MACARTHUR PL NORTH, CARLTON

Notes:

- Photograph taken at 21mm focal length
- Photograph taken from hard surface trafficable area (gutter) beside car parking spaces, as per original Photo-Montage set (dated Dec 2018)



01D

IMAGE 01D.1>
MACARTHUR PL NORTH, CARLTON
(Original Photograph @ 21mm)



IMAGE 01D.2>

**MACARTHUR PL NORTH, CARLTON
(Photo-Montage @ 21mm)**



IMAGE 02A > MACARTHUR PL NORTH, CARLTON

Notes:

- Photograph taken at 21mm focal length
- Photograph taken from centre median strip on Canning St as per original Photo-Montage set (dated Dec 2018)



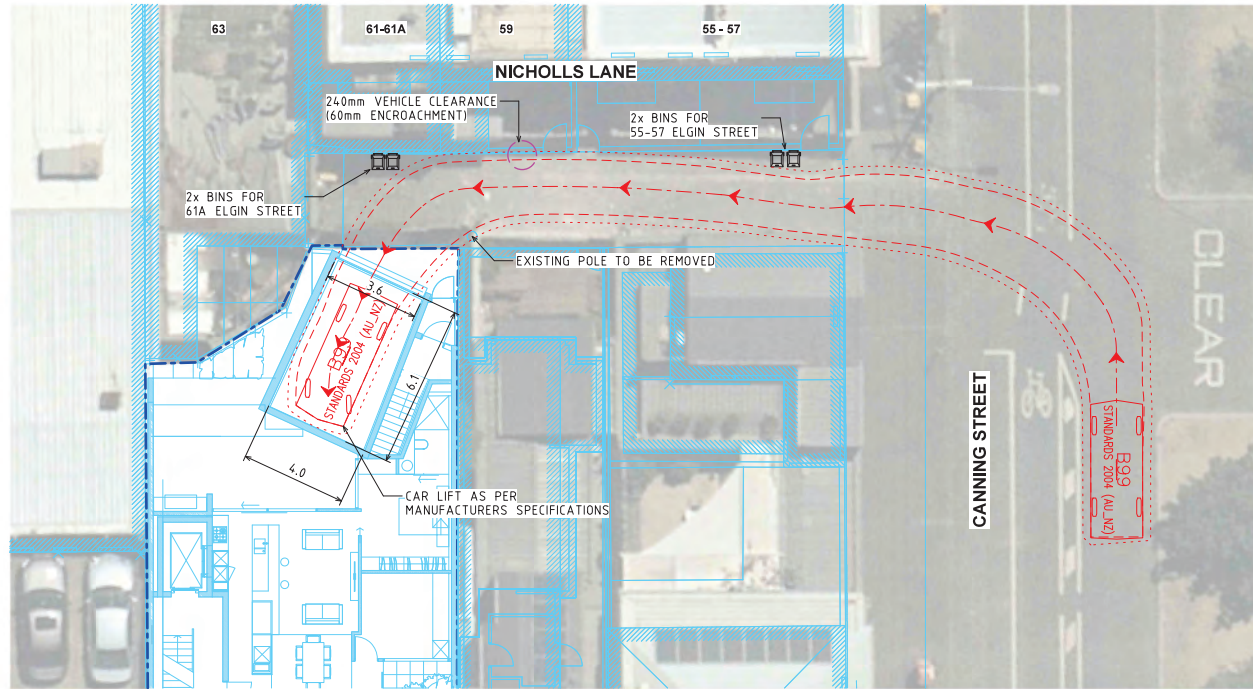
02A

IMAGE 02A.1>
CANNING ST (MEDIAN STRIP)
(Original Photograph @ 21mm)



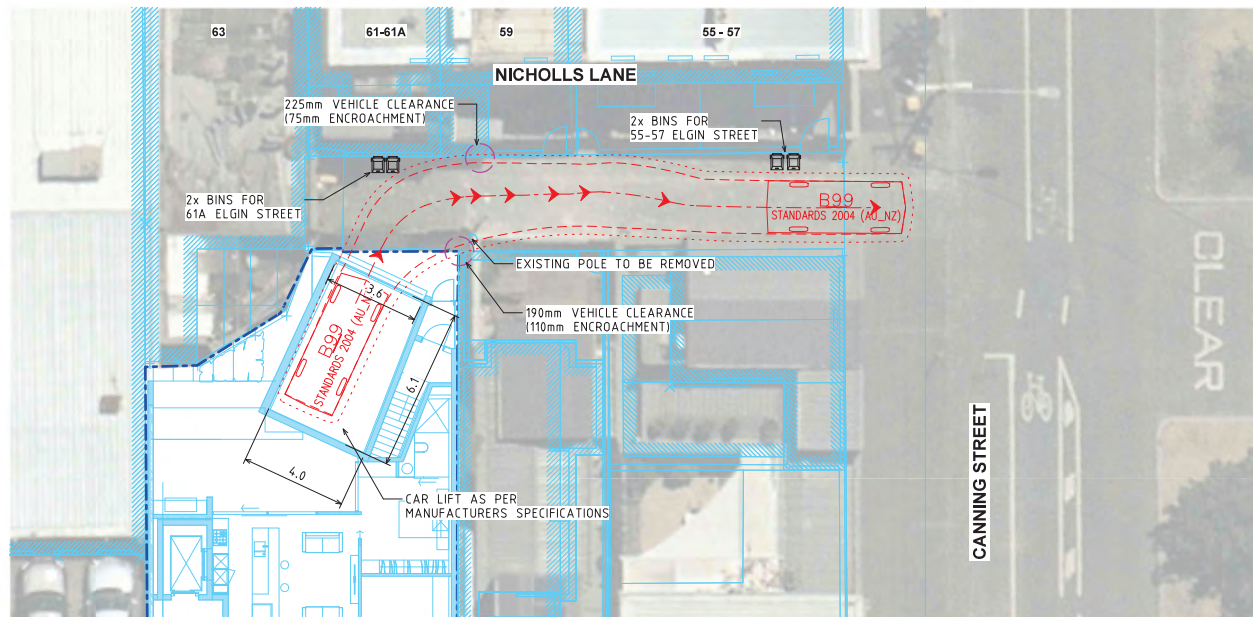
IMAGE 02A.2>
CANNING ST (MEDIAN STRIP)
(Photo-Montage @ 21mm)





ENTRY MANOEUVRES

----- B99 CAR SWEEP PATHS SHOWN DASHED
 300mm CLEARANCE ENVELOPE SHOWN DOTTED

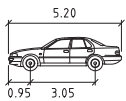


EXIT MANOEUVRES

----- B99 CAR SWEEP PATHS SHOWN DASHED
 300mm CLEARANCE ENVELOPE SHOWN DOTTED

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Date Plotted: 15-02-2023 4:54:18 PM



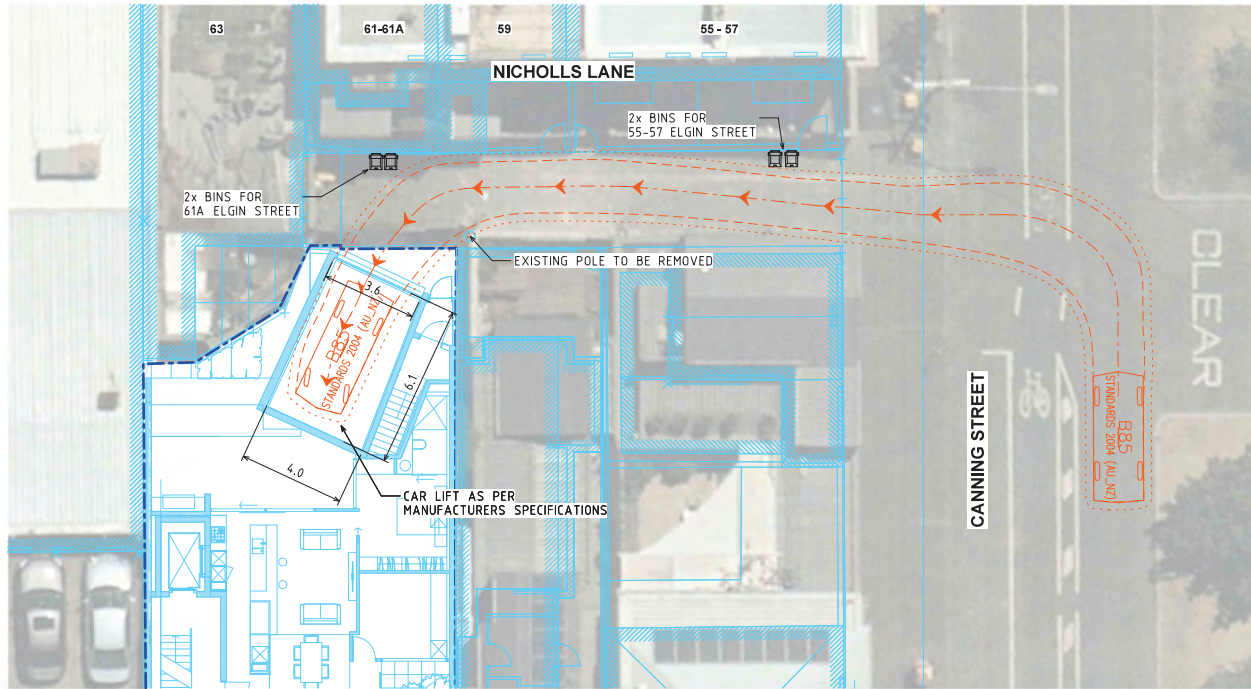
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 Track : 1.84
 Lock to Lock Time : 6.0
 Steering Angle : 33.9

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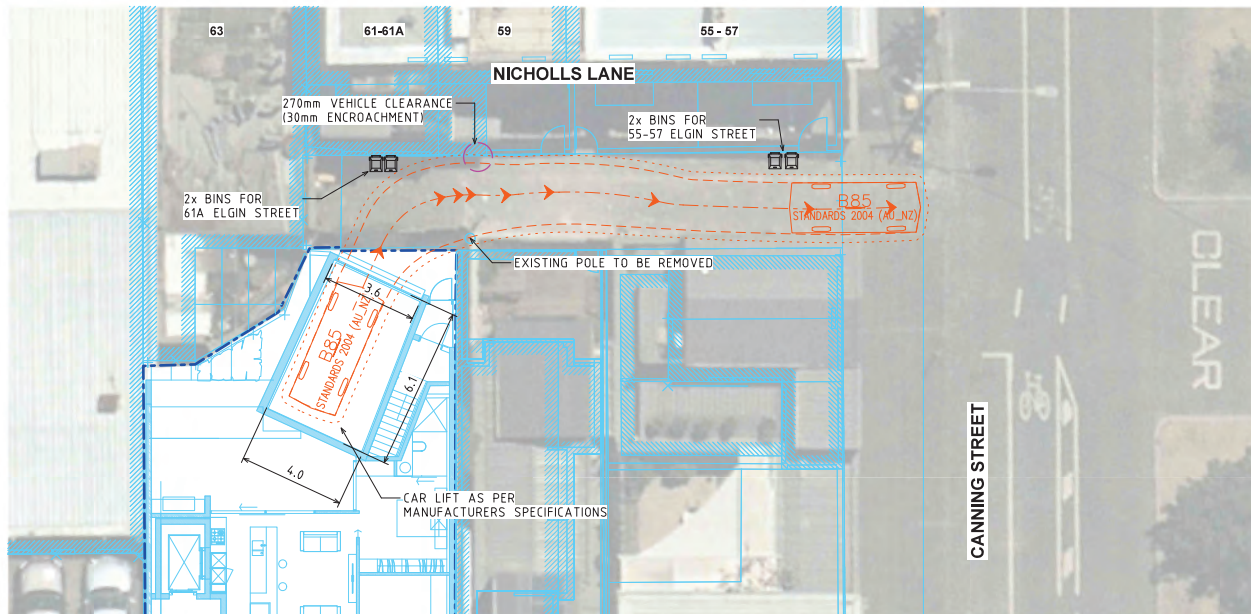
Scale: 1:200 @ A3

Drawing Title 6-10 MACARTHUR PLACE NORTH - CARLTON SITE ACCESS - B99 SITE ACCESS SWEEP PATH ANALYSIS		
Designed DW	Approved VG	Metway Ref 43 K4
Project Number 170626	Drawing Number SPA400	Revision L



ENTRY MANOEUVRES

----- B85 CAR SWEEP PATHS SHOWN DASHED
 300mm CLEARANCE ENVELOPE SHOWN DOTTED

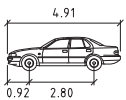


EXIT MANOEUVRES

----- B85 CAR SWEEP PATHS SHOWN DASHED
 300mm CLEARANCE ENVELOPE SHOWN DOTTED

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Date Plotted: 15-02-2023 4:54:23 PM



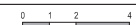
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 Width : 1.87
 Track : 1.77
 Lock to Lock Time : 6.0
 Steering Angle : 34.1

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Scale: 1:200 @ A3



Drawing Title
**6-10 MACARTHUR PLACE NORTH - CARLTON
 SITE ACCESS - B85 SITE ACCESS
 SWEEP PATH ANALYSIS**

Designed DW	Approved VG	Metway Ref 43 K4
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Project Number 170626	Drawing Number SPA401	Revision L
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PLANNING PERMIT APPLICATION

DELEGATE REPORT

Application number:	TP-2022-229
Applicant:	Tract Consultants
Owner:	Mr John Peter Piccolo
Architect:	DP Toscano Architects Pty Ltd
Address:	6-10 MacArthur Place North, CARLTON VIC 3053
Proposal:	Partial demolition, external alterations, and buildings and works to construct three dwellings on a lot
Cost of works:	\$985,000
Date of application:	4 May 2022
Responsible officer:	Rochelle Fleming, Senior Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 The Site

The application relates to the land known as:

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

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

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

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

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

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

The City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023) affords the Site a 'Contributory' category in a non-categorised streetscape.

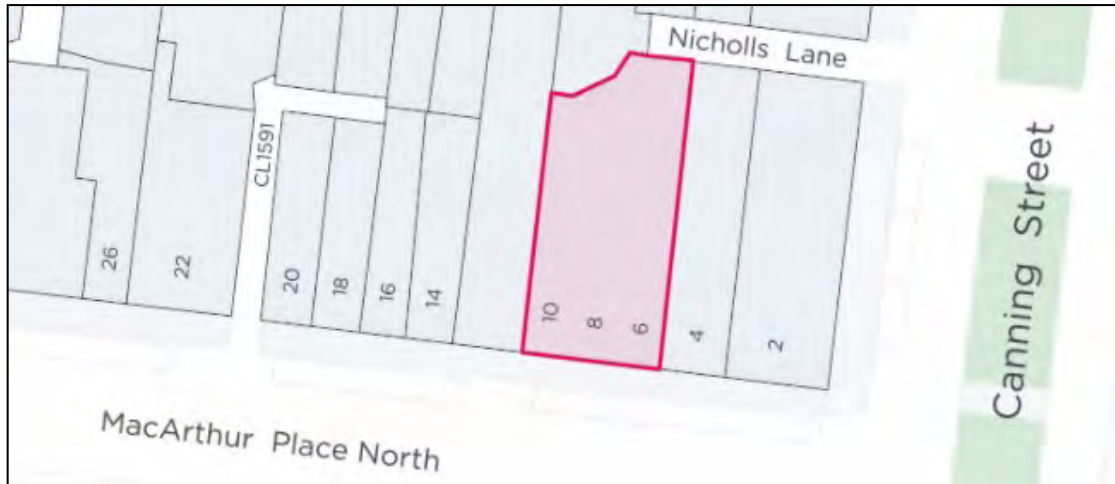


Figure 1 – Locality Map



Figure 2 - The Site



Figure 3 - The Site shown on areial image

1.2 Surrounds

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

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

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

The adjoining sites are summarised below:

North

To the north-west of the Site, at 63 Elgin Street, is a single storey café and laundromat with a small southern courtyard. This site is not included in the City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023).

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

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

These buildings are categorised as 'Significant' in the City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023).

East

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

The City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023) affords this site a 'Contributory' category in a non-categorised streetscape.

Further east, at 2 MacArthur Place North, is a single storey building that is used as a dwelling. This property contains a centrally located courtyard with buildings constructed to the MacArthur Place North, Canning Street and Nicholls Lane frontages, including a two-storey addition to the north-eastern corner of the site. The City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023) affords this site a 'Contributory' category in a non-categorised streetscape.

South

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

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

West

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

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

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

The City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023) affords these sites 'Significant' categories.

2 BACKGROUND AND HISTORY

2.1 Planning Application History

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

TP number	Description of Proposal	Decision & Date
TP-2013-553 (63 Elgin Street, Carlton)	Change of use to part of the land for food and drink premises, waiver of bicycle parking requirements (Clause 52.34) and waiver of loading and unloading requirements (Clause 52.07) both associated with the use of food and drink premises	Permit issued: 14/01/2014
TP-2013-553/A (63 Elgin Street, Carlton)	Change of use to part of the land for food and drink premises. Partial demolition, works, and external alterations to the shopfront. Waiver of bicycle parking requirements (Clause 52.34) and waiver of loading and unloading requirements (Clause 52.07) both associated with the use of food and drink premises.	Amended permit issued: 13/05/2014
TP-2015-1031 (4 MacArthur Place North, Carlton)	Partial demolition and construction of alterations and additions to existing dwelling	Permit issued 12/02/2016
TP-2018-59 (VCAT Ref: P1497/2018) Subject site	Part demolition, alterations and additions to the existing buildings including a three storey rear addition plus basement parking for the purpose of three dwellings and parking in excess of the parking overlay requirement	Permit refused by City of Melbourne: 20/07/2018 VCAT order affirming City of Melbourne refusal: 11/09/2019
TP-2020-533 (VCAT Ref: P22/2021) Subject site	Partial demolition, external alterations and buildings and works to extend three dwellings on a lot	Following a VCAT appeal to review the failure to grant a permit within the prescribed time City of Melbourne supported the proposal subject to conditions. VCAT order confirming no permit is granted: 03/11/2021

Planning permit applications TP-2018-59 and TP-2020-533 are of relevance as both applications proposed a similar development to that seen in this application.

Planning permit application TP-2018-59 was refused by the City of Melbourne and the decision was upheld by the Victorian Civil and Administrative Tribunal (VCAT). VCAT's reasons for affirming the City of Melbourne's refusal of permit application TP-2018-59 were (summarised):

- Lack of demolition plans.
- All six chimneys should be retained.
- The lift is dominant and tall.
- The lack of articulation to the three storey west side wall detracts from the heritage value of the Site / precinct.
- Retention of the north wall windows at Level 1 not being required as they do not contribute to the streetscape.
- The proposal fails to respond appropriately to the neighbourhood character.
- Bulk and overshadowing to 2 and 4 MacArthur Place North.
- The provision of private open space at ground and first floor apartments is unacceptable.
- The provision of six car parking spaces is not an acceptable response to Parking Overlay, Schedule 12 which has a maximum car parking rate of one space per dwelling.

Following the VCAT decision a revised planning application was made (TP-2020-533) which sought to address the concerns raised by VCAT. Planning permit application TP-2020-533 was determined by VCAT following an application to review the failure to grant a permit within the prescribed time. The details of the development considered by VCAT were:

- Rear demolition (approximately 7.7 metres behind the building façade).
- Construction of three, three storey extensions to the three existing dwellings and a basement.
- Externally alter the retained façade including altering and inserting openings and replacement fence, balustrade and roof.
- 3 car parking spaces at basement level accessible via a car elevator accessed by Nicholls Lane.

VCAT determined not to grant a planning permit for TP-2020-533 for the following reasons (summarised):

- The parking and access arrangements were not found to be acceptable. This was based on a car lift access from Nicholls Lane with the car lift perpendicular to Nicholls Lane.
- The entry and exit movement for vehicles to and from the car lift and laneway are very constrained. Very little margin for error for B85 and B99 vehicle.
- Corrective manoeuvres are required to properly position vehicles on the car lift for exit.
- Concluding that the proposal results in an unacceptable traffic and car parking outcome.

VCAT also noted that, notwithstanding the findings on access and car parking, the proposal could otherwise achieve an acceptable outcome with modifications / conditions. These modifications / conditions were:

- Increased setback from the eastern boundary, a lowered floor to floor height for Level 2 and a reduced roof terrace area by increasing the setback of the eastern boundary. These changes are required to address the visual impact of the building when viewed from vantage points to the east.
- Setback the second floor from the rear boundary on the eastern side to mitigate amenity impact on the secluded private open space of 4 MacArthur Place North.
- Conditions to demonstrate that the secluded private open space of 14 MacArthur Place North would not be overlooked by the development or appropriate screening be added to the western edge of the roof terrace.

3 PROPOSAL

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

- Demolition of the rear (northern) portion of the site, retaining the front 7.7 metres of the existing building including the façade and the front two rooms on both ground and first floors.
- Externally alter the existing façade openings and inserting a new entrance door.
- Replace the ground and first level fence and balustrade.
- Replace the existing galvanised corrugated iron roof material and repair the façade render.
- Construction of an extension to the building that contains a third storey set back approximately 11 metres from the front boundary (taken from the external walls). The proposed extension will have a maximum height of 9.35 metres to the parapet. The proposed roof terrace and balustrade measure 10.9 metres above the level of the ground with no part of these structures exceeding 11 metres.
- Construct a new basement level containing 3 car parking spaces, storage facilities, bin area, lift and staircases. Access to the basement is via a car elevator with access from Nicholls Lane. The car elevator is set at an angle from Nicholls Lane.
- Insert a communal entry from MacArthur Place North, in the western-most bay of the terraces (10 MacArthur Place North).
- Internal works to create a lobby, corridor and lift well for access between floors.
- Reconfiguration of each level to accommodate one dwelling per level. Each dwelling will be provided with private open space in the form of a courtyard, a balcony and a combination of balcony and rooftop terrace.
- Provision of a 4,800 litre rainwater tank.
- Materials and colours include concrete panels in grey, clear glazing, black steel balustrade, aluminium screening, and dark grey cladding panels.

The key changes from the previous application determined at VCAT (P22/2021) are:

- Car elevator is located on an angle from Nicholls Lane rather than perpendicular as previously proposed.
- Second floor extension setback a minimum 1.99 metres from eastern boundary and 3.42 metres from the rear boundary (previously 1.5 metres) to align with the rear building line of 4 MacArthur Place North.

- Roof terrace setback from eastern boundary increased from 3.325 metres to 3.565 metres.
- Swing of the retained two ground floor front doors to 6 and 8 MacArthur Place North changed to also open inwards.
- Small west facing window added to extension to provide window to Study of Apartment 2.
- Landscaped roof added to flat roofs at first and second floors.
- A change to the roof balustrade material from dark grey to lighter grey cladding.

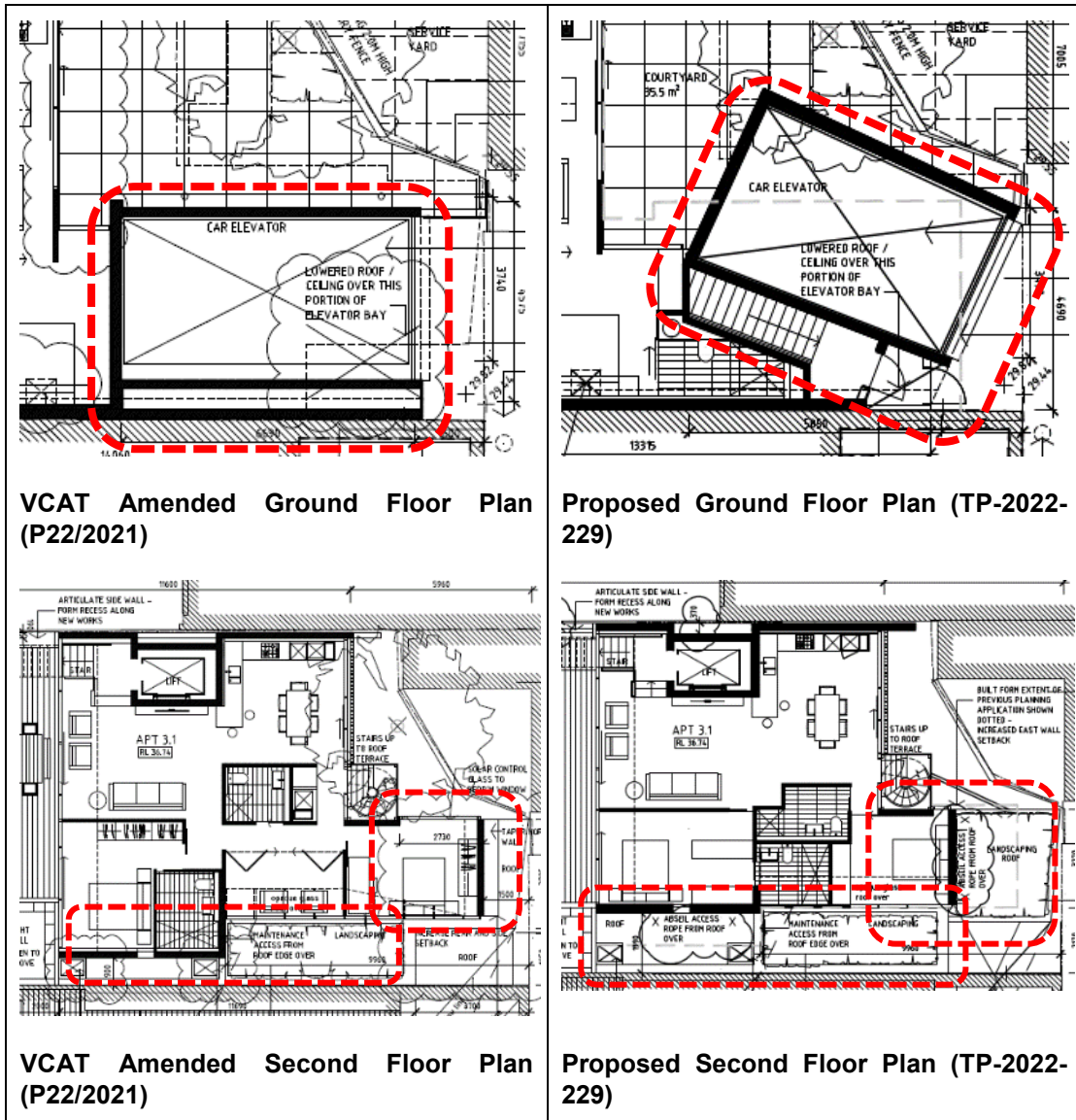


Figure 4 – Key material changes between plans considered at VCAT and current proposal



Figure 5 – South Elevation as viewed from MacArthur Place North

4 STATUTORY CONTROLS

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

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

	<ul style="list-style-type: none"> Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials. 						
<p>Clause 45.09 Parking Overlay Schedule 12</p>	<p>Pursuant to Clause 45.09-1, This overlay operates in conjunction with Clause 52.06. A schedule to this overlay may:</p> <ul style="list-style-type: none"> Vary the requirements of Clause 52.06 as allowed by this overlay. Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay. Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay. <p>Pursuant to Clause 2.0 to Clause 45.09, Schedule 12, a permit is required to provide car parking spaces in excess of the maximum number specified in the Table below:</p> <table border="1"> <thead> <tr> <th>Use</th> <th>Rate</th> <th>Measure</th> </tr> </thead> <tbody> <tr> <td>Dwelling</td> <td>1</td> <td>To each dwelling</td> </tr> </tbody> </table> <p>The application seeks to provide three car parking spaces, one to each of the three dwellings proposed. The proposed rate of car parking is equal to the maximum number specified above; therefore, a permit is not required.</p>	Use	Rate	Measure	Dwelling	1	To each dwelling
Use	Rate	Measure					
Dwelling	1	To each dwelling					

5 STRATEGIC FRAMEWORK

- Clause 02.03-4 – Building Environment and Heritage
- Clause 02.03-5 – Housing
- Clause 02-04-2 – Local Areas Plan
- Clause 11.03-6L-02 – Carlton
- Clause 15.03-1L-02 – Heritage
- Clause 15.01-1L-05 – Urban Design outside the Capital City Zone
- Clause 15.01-2L-01 – Energy and Resource Efficiency
- Clause 15 - Built Environment and Heritage
- Clause 16 – Housing
- Clause 19.03-3L – Stormwater Management (Water Sensitive Urban Design).

6 PARTICULAR PROVISIONS

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

7 GENERAL PROVISIONS

- Clause 65 - Decision Guidelines.

8 PUBLIC NOTIFICATION

None of the permit requirements exempt the application from notice. It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting a notice on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

9 OBJECTIONS

A total of 38 objections were received, and raised the following concerns with the proposal (summarised):

- Traffic
 - Use of Nicholls Lane for vehicle access.
 - Traffic conflict / safety at Nicholls Lane and Canning Street between pedestrians, cyclists and cars.
 - Use of Nicholls Lane will create congestion for cars accessing the lane.
 - Swept path diagrams for access via Nicholls Lane do not take into consideration bins stored in Nicholls Lane.
 - Nicholls Lane is too narrow for car access.
 - Numerous manoeuvres are still required to access the basement car parking spaces.
 - Swept paths show touching or encroachment into other properties.
- Amenity impacts
 - Car lift is located adjacent to a bedroom on ground level.
 - Compliance with Clause 55, including:
 - Visual bulk
 - Building height
 - Overshadowing
 - Access to sunlight
 - Site coverage
 - Side and Rear setbacks.
- Built environment and heritage
 - Non-compliance with local built form policies.
 - Consistency with the adjoining built form.
 - Over development of the Site.
 - The proposed walls on boundary are out of character with the surrounding area.
 - Structural plans have not been provided regarding retention of retained built form during excavation of basement.
 - The proposal detracts from heritage character of Carlton.
 - Impact on adjoining heritage properties.
 - Out of character with the area.
 - Upper level balconies and terraces are out of keeping with the surrounding area.
 - Floor heights have not been lowered in accordance with the VCAT decision.
 - More photomontages from Canning Street and MacArthur Place North are required to understand the visibility of the extension.
 - Inappropriate materials which are unsympathetic to the area.
 - Visibility of the addition.

- Impacts to the heritage history and character of the rear lane.
- Building scale.
- An adequate Heritage Assessment has not been supplied.
- Neighbourhood character.
- Other
 - Trees unlikely to grow in the retained open space.
 - Loss of views.
 - Bins will turn into a nuisance.
 - A bin washing area has not been provided.
 - Impact of construction of basement on adjoining properties.
 - Object to bins associated with Elgin Street properties being stored along the wall adjoining 2 MacArthur Place / Nicholls Lane.
 - The proposed replacement street light in Nicholls Lane will not provide adequate lighting to maintain safety of the area. Details of the replacement light pole should be provided as part of the application.
 - Safety issues associated with creation of “alcove” as a result of the angled car elevator due to lack of passive surveillance of this area.
 - Objector considers there is a 280 mm shortfall in the required side setback to the east and therefore Standard B17 is not met.
 - Perceived errors with shadow diagrams provided.
 - Insufficient waste provision. Waste provision has been calculated incorrectly.
 - Size of rainwater tank shown on the plans appears smaller than described in the ESD report.
 - Landscaped roofs would not be easily accessible for maintenance.
 - Use of Nicholls Lane for vehicle entry will affect property values.
 - Impact on Nicholls Lane during construction.
 - Nicholls Lane should not be classified as a road.
 - The proposal relies on assumptions about future development potential of adjoining properties.

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

10 CONSULTATION

Given the receipt of the above objections, they were forwarded to the applicant for their consideration. The applicant did not opt to make any amendments to the built form that was advertised. However, the shadow diagrams were corrected and were provided to the objector who had raised specific concerns with details contained within the shadow diagrams.

Two meetings were also held between the planning officer and two objectors to discuss their concerns further.

11 REFERRALS

11.1 Internal

The following referrals were required:

11.1.1 Heritage

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

"The additions would be more visible from MacArthur Square than is depicted from the gutter viewing point selected for the RAW3D renders. The prominence of the contributory buildings would be diminished by the proposed additions.

For TP-2022-229, the concerns related to heritage fabric within the principal part of the dwellings were outlined for the previous application. Concerns noted in summary evidence presented to the VCAT 2019 hearing are unchanged. "The extent of demolition proposed would adversely affect original building fabric and would diminish significance within HO1."

Ideally the development would retain the configuration of three side-by-side dwellings. However with modifications, it might be possible to accommodate an apartment on each floor, with recommendations similar to those recommended at the 2019 VCAT hearing:

- *Show the existing northern roof form and the height of the north elevation correctly, including accurate levels at the base of each slope.*
- *"[submit for further review] A structural engineering design for the in situ retention of the existing chimneys, gable roof and hipped roof.*
- *Adoption of floor levels which step down towards the north, enabling retention of the existing north elevation and northern hipped roof.*
- *[Delete the wide addition and adopt narrower] First floor connection between the existing two storey form and additions, by use of three linking elements.*
- *Additions taller than the existing building setback to be approximately 2 metres north of the linking element noted above.*
- *Reduction in overall building height to be no higher than RL 39.32.*
- *Reduction in building height at Nicholls Lane to be no higher than RL 37.34*
- *Definition of the boundary at Nicholls Lane with a fence or building.*
- *Retention of the original building fabric including door and window frames, sashes and door leafs, full verandah wing walls, roof forms and all chimneys.*
- *Retain: the existing front door frame to no.10; inward opening format for the original first floor doors; the majority of the existing first floor north elevation including at least two of the three double hung windows.*

Planner's Response

Heritage matters have been considered at length as part of the two previous VCAT proceedings. In summary, the demolition and alterations proposed were considered to be acceptable from a heritage impact perspective. However, it was found that the visibility of the Level 2 from vantage points to the east would have an unacceptable heritage impact and impact on neighbourhood character. Recommendations were made by VCAT regarding changes to the plans that could result in an acceptable built form from a heritage perspective.

With regard to heritage matters the previous VCAT decision found that:

- *"...retention of the existing chimneys, demolition of the northern upper floor walls and the proposed alterations to the front façade are an acceptable outcome" (Paragraph 43).*

- *“The extension of the door opening and tiling in front will not detract from the heritage significance and, for the most part, would be imperceptible changes as would be viewed from the street”* (Paragraph 46).
- *“The alterations to the ground floor porches and first floor balconies’ balustrades are changes that will result in an enhanced presentation to the street, consistent with the era of the facades and will be more akin to the original facades than what currently exists.”* (Paragraph 47).

Additionally it is noted that the existing northern roof form has been shown on the existing and proposed demolition plans. This was not provided as part of the previous application. To fully address Council’s Heritage Advisor’s comments a condition has been included to also provide RL’s on the existing / demolition north elevation (TP01 Rev A). A structural engineering report is also required via condition.

VCAT also found that given the lack of visibility from the public realm retention of the northern upper floor walls was not required. The northern hipped roof form is however retained in accordance with Council’s Heritage Advisor comments. All chimneys are also retained, as they were for the previous application (however 3 were proposed to be demolished as part of the 2018 application).

Additionally VCAT did not share the same concerns raised by Council’s Heritage Advisor with regard to:

- Connection between the existing two storey form and additions including floor levels.
- Setback of the extension from the two-storey northern wall of the existing building.
- Overall building height.
- Boundary treatment to Nicholls Lane.

As the heritage matters have been considered at length and in detail by VCAT as part of the previous proceedings, and as repeat appeal principles apply, no further changes beyond those already identified are warranted.

The key heritage concern raised by VCAT as part of the previous proceedings was the visibility of Level 2 from vantage points from the east of the site, finding that Level 2, as well as the roof terrace balustrade would be dominant elements as viewed from Canning Street and parts of MacArthur Place North. VCAT concluded that this concern could be dealt with via condition recommending:

- a reduction of floor to floor heights would result in a similar outcome to that of the levels below;*
- an increased eastern setback would result in less internal space but which I find could be compensated for through other internal layout changes; and*
- the apartment maintains a south facing balcony and although the roof terrace would be reduced, the combination of both spaces would provide acceptable levels of amenity for future occupants.”* (Paragraph 63).

Each of these are discussed in detail at Section 12 of this report.

11.1.2 Urban Design

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

- The revised scheme is considered to meet the design conditions of the VCAT order and the proposed development is supported.

- The increased setback at Level 2 has significantly reduced visual bulk from Canning Street.
- Although the floor to floor height of Level 2 has not been reduced, it is considered that the visual bulk impacts have been sufficiently addressed through the increased setback.
- The proposed massing is an appropriate contextual response.
- The visual bulk impacts to the private open space at 4 MacArthur Place North has been mitigated by the increased setback to the northern boundary.
- Additional diagrams are required to assess potential overlooking from the roof terrace.

Planner's Response

The Applicant has provided diagrams confirming overlooking into the ground level secluded private open space at 14 MacArthur Place North would not be possible as views would be obscured by the roof of Apartment 3.

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

11.1.3 Waste and Recycling

The application was referred to the City of Melbourne's Waste Team who provided initial comments on the plans and submitted Waste Management Plan (WMP) requiring changes to the WMP.

The application made the requested changes and Council's Waste Planning Engineer has confirmed that the WMP prepared by onemilegrid dated 20th September 2022 is acceptable.

Planner's Response

A condition will be included on any permit issued requiring the waste storage and collection arrangements to be in accordance with the agreed WMP.

11.1.4 Traffic

The application was referred to the City of Melbourne's Traffic Engineers who did not object to the proposal or recommend any permit conditions. A summary of their comments is provided below:

- A note should be placed on any future planning permit, stating: "Council will not change the on-street parking restrictions to accommodate the access, servicing, delivery or parking needs of this development as the restrictions are designed to cater for a number of other competing demands and access requirements. As this development increases the residential density of the property, the residents who will occupy this development will not be eligible to receive 'Area 4B resident parking permits' and will not be exempt from any on-street parking restrictions".

Planner's Response

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

Updated swept path diagrams were requested from the Applicant following objections made and matters raised regarding storage of bins within Nicholls Lane and how this would impact access.

Traffic matters are addressed at Section 12.1 of this report.

11.1.5 Civil Design

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

"No objection to the wall mounted street light subject to the following conditions:

- 1. It should be connected to an unmetered 2amp point of supply provided by Citipower in a pit.*
- 2. Conduits and a four module waterproof switchboard enclosure (Clipsal 56SB4) should be surface mounted and accessible to CoM electrician at all times.*
- 3. Height from finished surface to the street light should be at least 5 m.*
- 4. Installation should meet CoM and Citipower requirements and be compliant with AS3000 and Victorian SIR.*
- 5. Consent for final design of the street light should be obtained prior to installation."*

Planner's Response

It is recommended the conditions provided be included on any permit issued. The permit condition requiring relocation of the street lighting pole has been amended by planning to change the trigger from prior to occupation of the development to prior to the removal of the existing street lighting pole. This is considered appropriate to ensure that there is sufficient and safe lighting provided within Nicholls Lane throughout the construction process.

The Applicant has also reviewed the comments provided with regard to the relocated street light and confirmed in principle they do not have any issues with the proposed conditions, but questioned the need for "proposed Condition 3 given proposed Condition 5 requires Council's consent of design prior to installation".

11.1.6 Land Survey

The application was referred to the City of Melbourne's Land Survey team who had no comments on the application.

11.1.7 Environmental Sustainable Design and Green Infrastructure

The application was referred to City of Melbourne's Green Infrastructure and Environmentally Sustainable Design Officer who confirmed that the ESD commitments within the Environmentally Sustainable Design (ESD) Report submitted with the application are generally in accordance with the Melbourne Planning Scheme. However, a number of recommendations were made to provide a more holistic approach (summarised):

- Strongly encouraged to provide a Built Environment Sustainability Scorecard (BESS) assessment and integrate the report into an updated ESD Report.
- The planning drawings have indicated solar PV is provided on the roof area. This has not been documented in the ESD Report which needs to indicate the total system size, number of panels and panel output. The plans also only show 8 panels but need to notate the total system size and panel output.
- Further detail is provided on the plans in regard to solar hot water that should also be detailed in the ESD report.
- The submitted STORM report embedded into the ESD report indicates a 4800 L rainwater tank is needed to achieve water quality requirements. The planning

drawings have no evidence that the tank has been integrated into the design. The plans must be updated to show the rainwater tank location and note that it is connected to toilets for flushing as a minimum. Additional uses including laundry, landscaping and wash down should also be listed.

Planner's Response

As the submitted ESD Report generally complies with the requirements of the Melbourne Planning Scheme (Clause 15.01-2L-01 and Clause 19.03.3L) it is considered unreasonable to require submission of a BESS assessment via condition.

This is on the basis that Clause 15.01-2L-01 only requires submission of a Waste Management Plan, which has been provided, and to achieve a 1 point Green Star credit for Water Efficiency. Clause 15.01-2L-01 does not require a BESS assessment. The development achieves 1 point for Wat-1 credit under Green Star and therefore meets the requirements of Clause 15.01-2L-01.

Planning officers also note that the rainwater tank described in the ESD report is shown at basement level, including dimensions. The requirements regarding solar PV, solar hot water and rainwater tank will be included as condition(s).

11.2 External

The application was not required to be referred externally.

12 ASSESSMENT

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

- VCAT's determination of TP-2020-533
- Heritage
- The built environment (urban design) policies
- The objectives and standards of Clause 55
- Traffic
- Objections.

12.1 VCAT's determination of TP-2020-533

VCAT found that the proceeding for TP-2020-533 (P22/2021) was "what is commonly referred to as a 'repeat appeal', where the Tribunal has previously considered a not dissimilar proposal". This is considered relevant to this planning application.

Following the VCAT determination of TP-2020-533 the permit applicant has sought to amend the proposed development to address the concerns of VCAT. As these changes extend only to those made with the aim of overcoming concerns raised by the Tribunal it is considered that a number of matters in relation to the scheme have already been agreed.

The key matters raised by VCAT in decision ref. P22/2021 were:

- Car parking access
- Heritage and neighbourhood character impact of Level 2 extension
- Visual bulk and impact on the secluded private open space (SPOS) of 4 MacArthur Place North
- Overlooking from the proposed roof terrace to 14 MacArthur Place North.

These matters are considered in more detail below.

12.1.1 Car parking access

VCAT found that access to and from the Site, as well as the manoeuvrability within the basement is problematic. The decision concluded:

26. *Firstly, all three basement car parking spaces require at least a corrective manoeuvre for either entry or exit from those spaces, and space 3 requires a corrective manoeuvre for both entry and exit. Spaces 1 and 2 require a corrective manoeuvre for either entry or exit, but not both.*
27. *Secondly, the entry, but particularly the exit movement for vehicles to and from the car lift and the laneway, are very constrained. Based on both the B85 and B99 vehicle, the swept path diagrams show very little, if any margin for error on the part of a driver in exiting the site. In addition, extremely precise positioning on the car lift is required in order to perform the exit movement. With both the B85 and B99 vehicle body path, any vehicle entering or exiting the site would be within centimetres, if not millimetres, or even touch, fences and walls of other properties abutting the laneway.*
28. *Furthermore, the clearance provided in the swept path diagram for both the B85 and B99 vehicle is either touching or inside property boundaries of other sites adjoining the laneway.*
29. *Thirdly, from the swept path diagrams shown for the car parking spaces and the exit manoeuvres from the site, it appears that additional corrective manoeuvres would be required to properly position the vehicles on the car lift for what I described above as extremely precise positioning. Such corrective manoeuvres have not been shown on any of the swept path diagrams.*

VCAT found that due to the car parking access issues a permit could not issue. The concerns raised by VCAT are considered in turn below.

It is noted that the Tribunal did not have the benefit of expert Traffic evidence as part of the Hearing proceedings.

Basement car parking spaces accessibility

The application is supported by a Transport Impact Assessment and supporting swept path diagrams. The amended proposal incorporates a larger car lift, set on an angle from Nicholls Lane. This arrangement results in an improved access to the basement car spaces, with all spaces accessible with a single manoeuvre for entry and a single correction manoeuvre for exit. This is demonstrated in the submitted swept path diagrams.

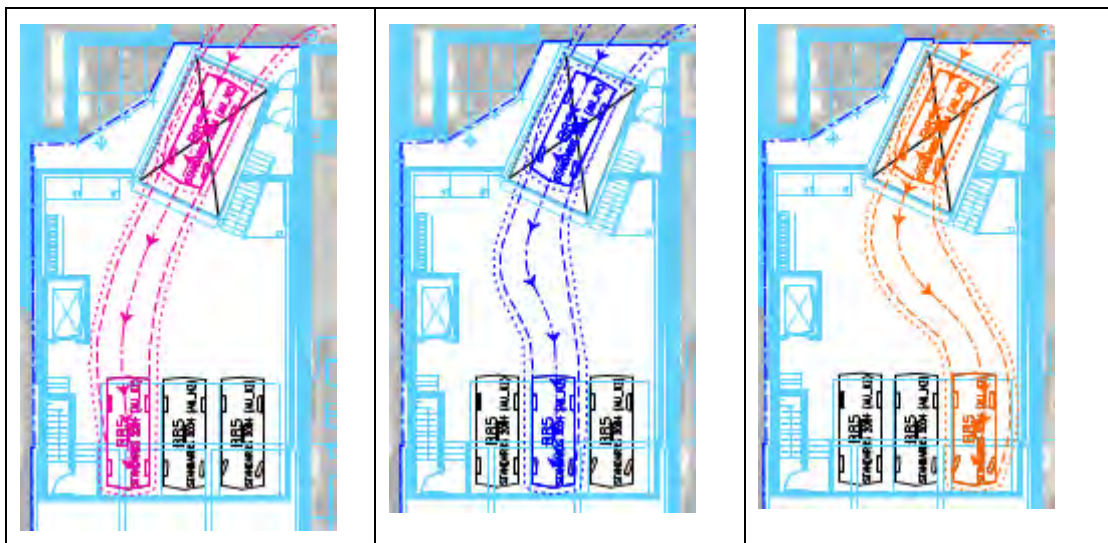


Figure 6 – Swept path diagrams demonstrating entry to car parking spaces

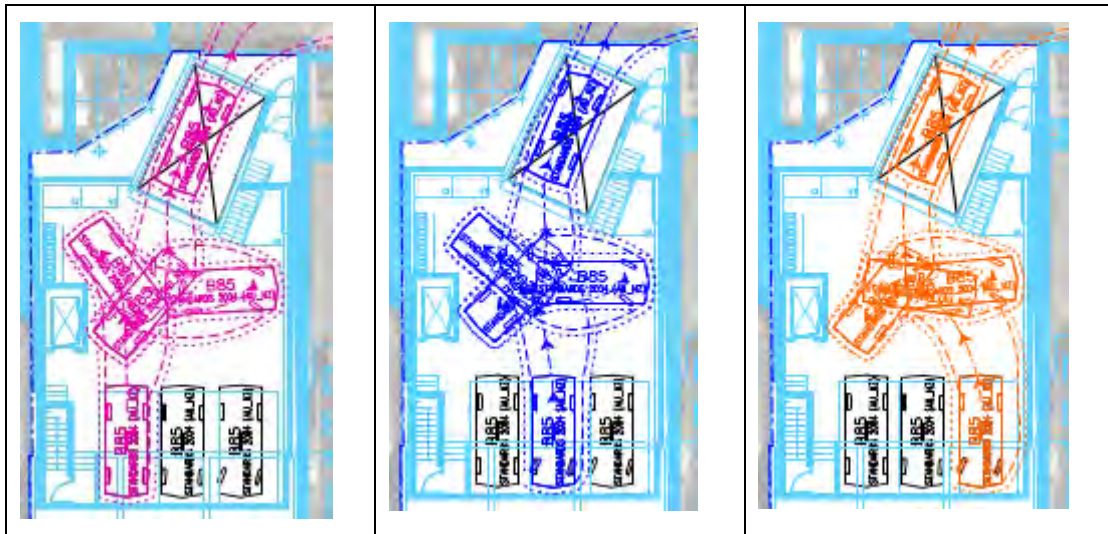


Figure 7 – Swept path diagrams demonstrating exit from car parking spaces

A 'corrective manoeuvre' is permitted under the relevant standards in AS2890.1:2004 for residential car parking. As such, the key consideration is the Decision Guidelines of Clause 52.06-10 of the Melbourne Planning Scheme. The key relevant decision guideline in this instance is the requirement to consider *"the ease and safety with which vehicles access and circulate within the parking area"*.

The proposed corrective manoeuvres required are not considered to result in any safety concerns. While the basement is small and constrained this is not dissimilar to many small private car parking arrangements. Manoeuvres at basement level will be undertaken by any future occupants at a low speed and the requirement for one corrective manoeuvre for each space on exit is not considered sufficient to warrant refusal of the scheme. The corrective manoeuvres are typical of those required when vehicles reverse either into or out of a car parking space in constrained spaces. While exit from the car parking spaces is not as easy as they would be without the requirement of a corrective manoeuvre, the manoeuvres required are not considered to be so difficult as to prevent realistic use of these parking spaces. Noting that in practice occupants of the dwellings will become used to the manoeuvres required over time and use of the basement car parking space.

If future residents found that it was not desirable to utilise the basement car parking spaces, it is considered that the Site is well located in terms of active and public transport accessibility, including buses and trams within 250 metres of the Site. Canning Street which is a 'bicycle superhighway' is also located in very close proximity. As noted by Council's Transport Engineer future residents would not be eligible for on-street parking permits.

Exit and entry movements within Nicholls Lane

The swept path diagrams presented as part of the previous VCAT proceedings and submitted originally with the proposed development showed the location of 11 bins being stored on Nicholls Lane.

Bins are, and historically have been, stored on Nicholls Lane by agreement with City of Melbourne for the properties 55-57, 61 and 61A Elgin Street. In accordance with City of Melbourne's *Environmental Local Law 2019* waste containers must be stored within the premises. As such, arrangements for storage of waste in the public realm is only approved when there is no other available option. However, following a review of this arrangement it has been determined that as there is sufficient space within the rear courtyard of 55-57 and 61A Elgin Street for storage of bins within private property.

City of Melbourne is currently in the process of revoking the current agreements to store bins on Nicholls Lane for 55-57 (residential use on upper floors) and 61A Elgin Street. This accords with Council’s Local Laws that requires waste to be stored within private property, where there is space available, rather than on the street.

It has been determined that the ground floor commercial tenancy for 55-57 Elgin Street and 61 Elgin Street will be able to retain the current agreement regarding storage of bins on Nicholls Lane as there is no space within the title boundary for storage of bins. As such, the swept path diagrams originally submitted with the application have been updated to reflect four bins being stored on Nicholls Lane, rather than the 11 originally shown. The bins are shown lined against the nearest boundary wall associated with each property. The change to bin location does not make a material difference to the minimum available clearances for either B85 or B99 vehicles which were reviewed by Council’s Transport Engineer who offered no objection to the proposed development.

The swept path diagrams show that for entry into the car lift by a B99 vehicle there would be a 240 mm vehicle clearance to the southern boundary wall of 59 Elgin Street. For the exit manoeuvre there would be a 225 mm vehicle clearance to the same wall and a 190 mm vehicle clearance to the north-western corner of 4 MacArthur Place North. For B85 vehicles, there will be a 270 mm vehicle clearance to the southern boundary wall of 59 Elgin Street for the exit manoeuvre.

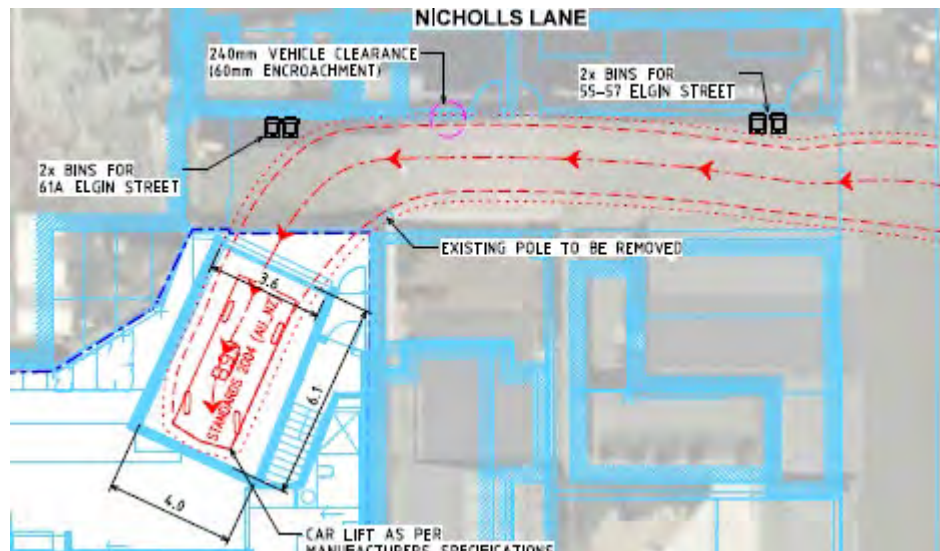


Figure 8 – Swept path diagram for entry for B99 vehicle

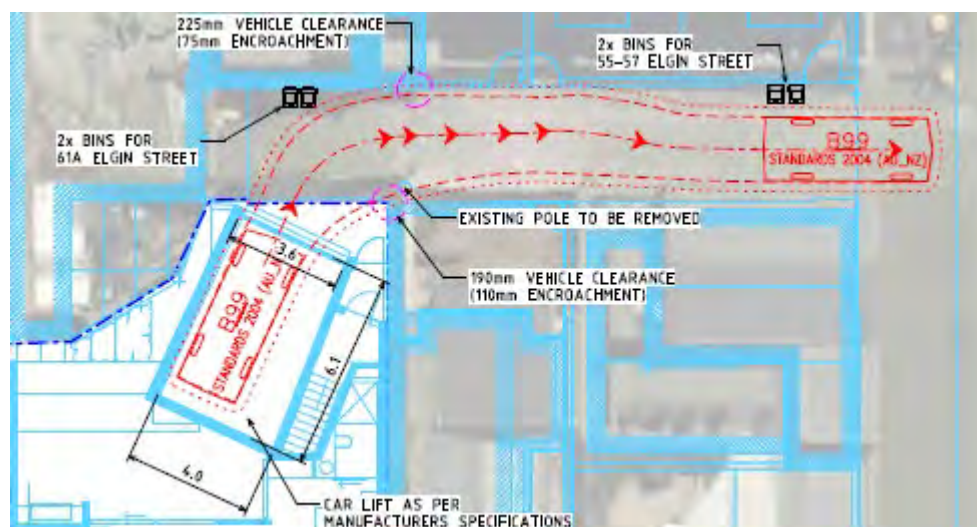


Figure 9 – Swept path diagram for exit for B99 vehicle

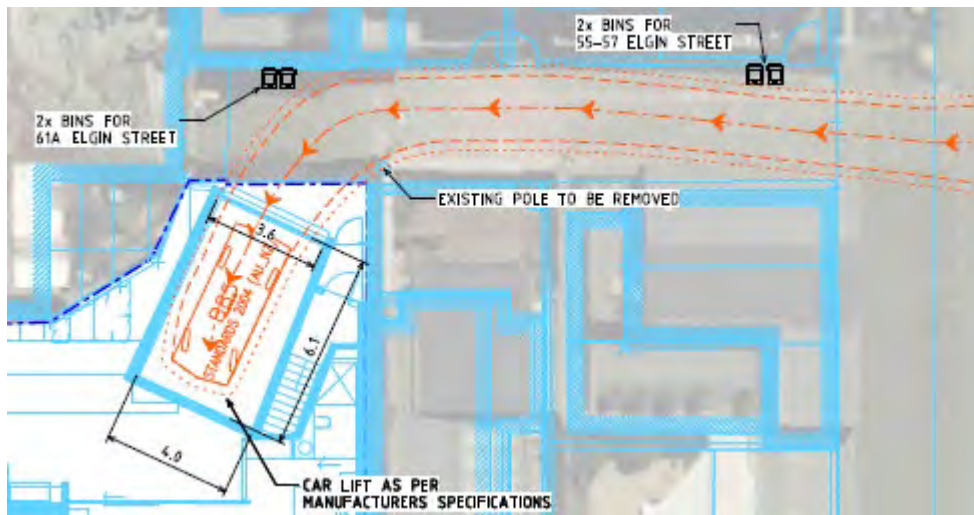


Figure 10 – Swept path diagram for entry for B85 vehicle

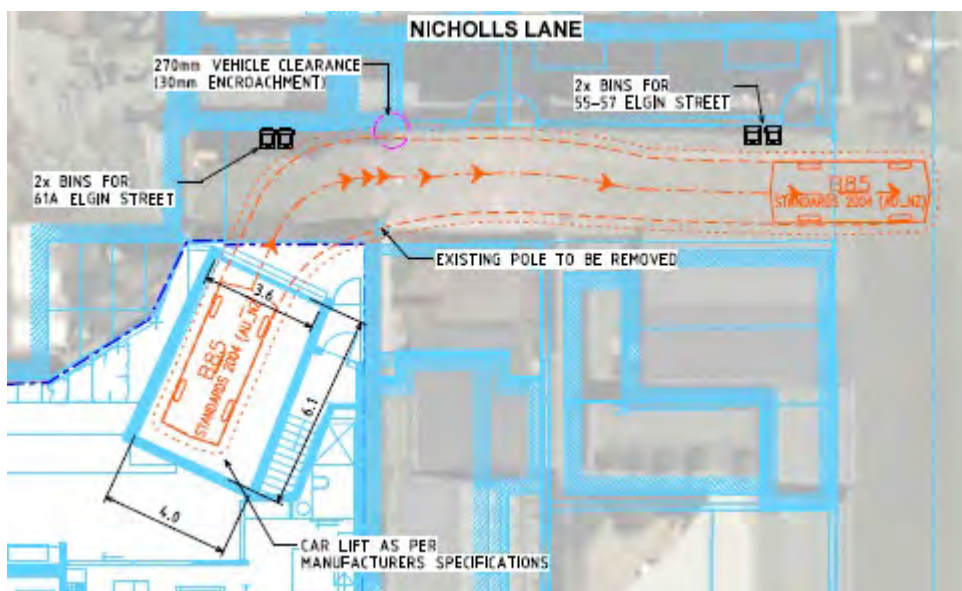


Figure 11 – Swept path diagram for exit for B85 vehicle

Nicholls Lane is designated as a Minor Council Road with a width of approximately 3.5 metres. The status of Nicholls Lane as a Road is confirmed by the relevant Plan of Subdivision dated 25/09/1963. This designation means that there is no vehicle or pedestrian access restrictions over Nicholls Lane.

Concerns have been raised by objectors that Nicholls Lane will be turned into a “driveway” by the development. Nicholls Lane will remain a publicly accessible road. Currently there is nothing restricting vehicle access to the rear of 6 MacArthur Place North, except for an appropriate opening in the rear fence. Therefore, as a starting point it is important to confirm the status of Nicholls Lane as a publicly accessible road.

The width and accessibility of Nicholls Lane is not dissimilar to many other laneways within the municipality and Melbourne more generally. This includes examples such as Council Lane ref. 1096 on the opposite side of Canning Street from the Site. This lane provides vehicle access for multiple properties with a width of approximately 3.6 metres.



Figure 12 – Aerial Image of Nicholls Lane and Council Lane ref. 1096

The proposed development provides three car parking spaces at basement level and therefore the vehicle movements per day are considered to be low. Additionally, the area is well served by public transport including bus and tram routes within a 250 metre radius providing good alternatives to driving. There are also dedicated bike lanes, including Canning Street which provide opportunities for future residents to utilise cycling infrastructure. Drivers accessing Nicholls Lane will be doing so at a low speed given the 40km speed limit on Canning Street and the narrow width of Nicholls Lane. Any future residents will also become more familiar with the manoeuvres required to access the Site from Nicholls Lane over time. So, while the entry and exit manoeuvres for a B99 vehicle, and the exit manoeuvre for a B85 result in encroachment within the vehicle clearance area this is considered acceptable due to the context of Nicholls Lane, as a publicly accessible road and the limited number of vehicle movements that are likely to occur as a result of the proposed development.

The swept path and access has also improved compared with those considered by VCAT with limited encroachment into the vehicle clearance area. The previous swept paths considered by VCAT showed the swept paths themselves in close proximity to adjoining walls and objects. This is not the case for the revised application which shows that the clearance area is outside the adjoining walls and objects with the exception of two small pinch points. The amended access arrangement via Nicholls Lane is therefore considered to comply with the objectives and decision guidelines of Clause 52.06.

Corrective manoeuvres within the car lift

The swept paths prepared in support of this application demonstrate that the entry and exit movements to / from Nicholls Lane will require vehicles to position themselves to the western edge of the car lift. This positioning is also reflected in the swept paths provided for the basement car parking spaces. Therefore, the applicant has demonstrated that no corrective manoeuvres are required within the car lift for entry or exit.

12.1.2 Heritage and neighbourhood character impact of Level 2 extension

The Tribunal found that the visibility of Level 2 from vantage points to the east, including along sections of Canning Street and within MacArthur Place North would result in an unacceptable heritage impact and impact on neighbourhood character.

It was found that Level 2, as well as the roof terrace balustrades, would be dominant elements as viewed from the east and would detract from the heritage precinct and the character of the built form in the surrounding area. VCAT concluded that with a combination of an increased setback from the eastern boundary, a lower floor to floor height for Level 2 and a reduced roof terrace area by increasing the setback from the eastern boundary that this concern could be overcome.

In response to the issues raised by VCAT the scheme has been amended to incorporate a setback from the eastern boundary ranging between 1.99 and 2.17 metres. The extension has also been setback further from the rear boundary. The setback of the roof terrace has also been increased from the eastern boundary between 0.3 and 0.6 metres. Floor to floor heights have not been amended.

The increased eastern setback at Level 2 and the increased setback of the roof balustrades has gone some way in reducing the visual dominance of the extension. Additionally, the change in materials to a lighter concrete panel has also reduced in part the dominance of the addition. However, it is considered that further changes, in line with VCAT's recommendations are required to ensure the addition has an acceptable visual impact when viewed from the east.

The rooftop terrace for Apartment 3 has a trafficable area of approximately 26 square metres, in addition to a south facing balcony of approximately 15 square metres. Clause 55.07-9 requires a south facing balcony to have a minimum area of 8 square metres. Clause 55.07-9 also sets out that roof terraces should have an area of at least 10 square metres, with a minimum dimension of 2 metres.

In line with Clause 55.07-9 the roof terrace area is not a SPOS area required by ResCode. As such, it is not considered that there would be any significant amenity impact in reducing further the setbacks of the roof terrace and balustrade from the southern and eastern boundaries. A condition will be included on any permit issued requiring the roof terrace have an increased setback a minimum of 1 metre from the southern (front) boundary and 1.5 metre (compared the previous proposal) to the eastern boundary. This change would still maintain a useable area at roof level while providing a more meaningful change in the dominance when viewed from the east.

The submitted Sections demonstrate that the floor to ceiling height for Level 2 is 2.8 metres, noting an overall floor to floor height of 3.3 metres. As such, the floor to ceiling height could realistically only be reduced to 2.7 metres without having impacts on the amenity of this apartment. Floor to ceiling heights of less than 2.7 metres are generally not supported. A reduction in the height of Level 2 by 10 cm is not considered to make a meaningful change to the appearance of Level 2 as viewed from Canning Street. As such, it is considered that with the setbacks provided and those required by condition that the visual impact of the addition will be sufficiently reduced without the need to reduce the floor to floor heights of Level 2.

With the inclusion of the change to increase the setback of the roof terrace from the eastern boundary, the proposal is considered to comply with the requirements of Clause 15.03-1L-02 in that the addition will be partially concealed and will not dominate or reduce the prominence of the existing buildings façade or the MacArthur Place North streetscape.

12.1.3 Visual bulk and impact on the SPOS of 4 MacArthur Place North

VCAT concluded that the second floor would not be an acceptable impact to the adjoining SPOS area of 4 MacArthur Place North with regard to visual bulk amenity

impact. The wall would be approximately 10 metres in this location and setback 2.17 metres, which VCAT found would result in unacceptable visual bulk impacts, particularly when considered in combination with the first floor. VCAT found that there would be room to setback this element further from the rear boundary which would assist in mitigating this impact. A setback aligning with the ground floor north wall of 4 MacArthur Place North was recommended.

In response to the concerns raised by VCAT the proposed second floor extension is now setback from the northern (rear) boundary by a distance of 3.42 metres which aligns with the setback of 4 MacArthur Place North. As such, the concern regarding visual bulk is considered to have been resolved.

12.1.4 Overlooking from the proposed roof terrace to 14 MacArthur Place North

VCAT raised concerns that insufficient information had been provided to confirm whether there would be overlooking from the proposed roof terrace to 14 MacArthur Place North.

14 MacArthur Place North is located approximately 6 metres to the west of the Site. The proposed roof terrace is located 2.47 metres from the western title boundary. A BBQ area, planter box and horizontal ledge are located along the western boundary of the roof terrace.

The permit applicant has submitted a diagram demonstrating that the roof of the built form below would obscure views of the secluded private open space of 14 MacArthur Place North. Visibility from the roof terrace would be approximately 5.5 metres above natural ground level at 14 MacArthur Place North which is well above ground level of the SPOS associated with 14 MacArthur Place North. As demonstrated by Figure 14 below, there would also be no views from the roof terrace when looking south as the windows and SPOS of 14 MacArthur Place North is outside the 9 metre overlooking radius.

As such, this VCAT concern is considered to be resolved.

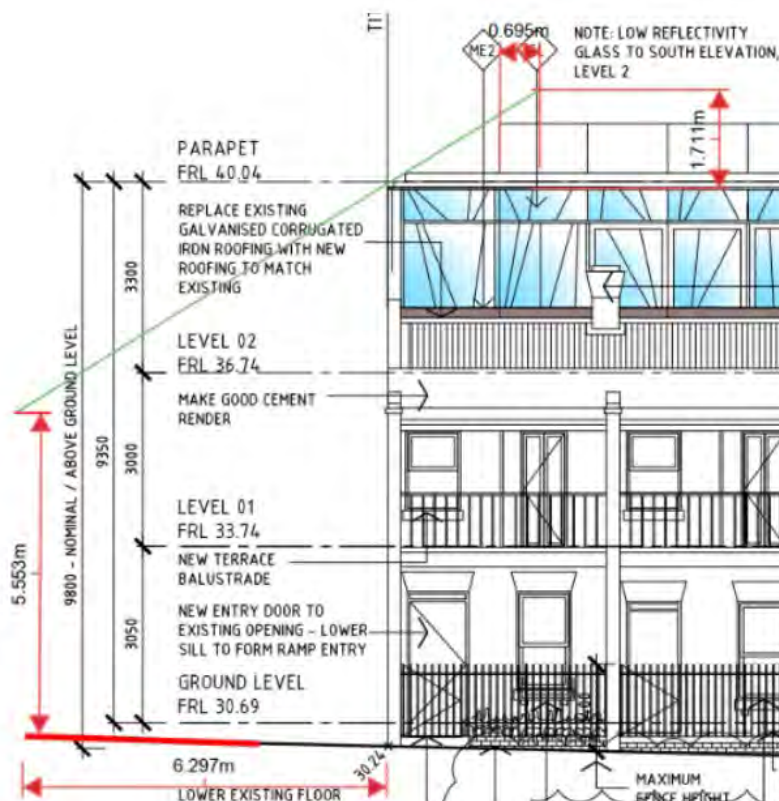


Figure 13 – Overlooking diagram provided by the permit application from the proposed roof terrace

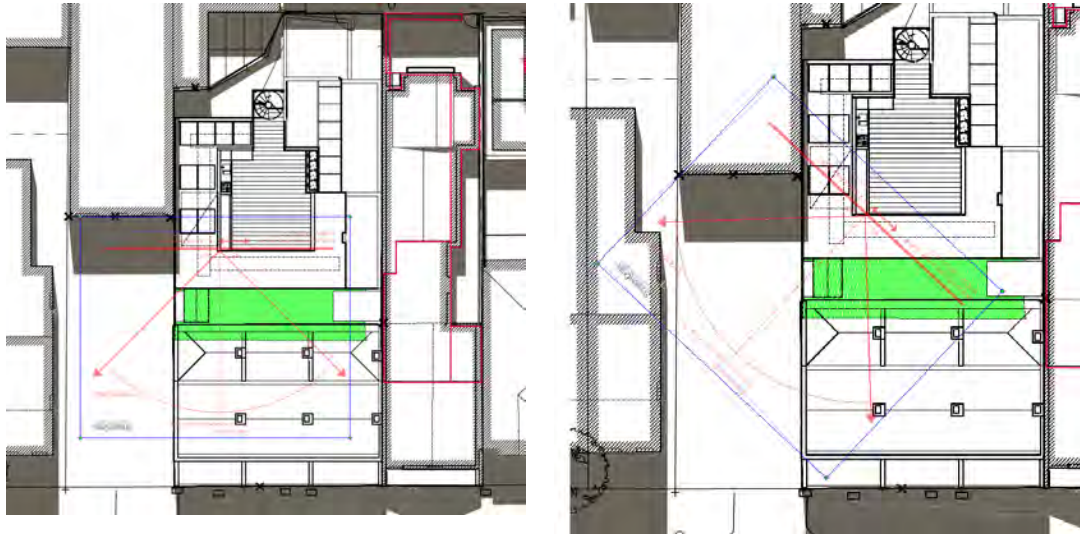


Figure 14 – Overlooking diagram from proposed roof terrace

12.2 Heritage

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

The Site is listed as 'Contributory' in the City of Melbourne's Heritage Places Inventory March 2022 (Amended January 2023).

Incorporated Document *Heritage Precincts Statements of Significance February 2020 (Amended April 2022)* provides the following statement of significance for the Carlton Precinct:

“Carlton Precinct was developed from the mid-nineteenth century as part of the extension of Melbourne to its north during a period of significant population growth. Significant and contributory development in the precinct dates from the mid nineteenth century through to the interwar period, although Victorian development predominates. Some places of heritage value may also be outside this date range. The precinct is mainly residential, with some commercial streetscapes and commercial buildings scattered throughout; institutional development; and limited small scale former manufacturing and industrial development, mostly dating from the early twentieth century. The various parks, gardens and squares, and mature street plantings and rows, are also components of the significant development of the precinct.”

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

- The proposed demolition and works align with the strategies and policy guidelines at Clause 15.03-1L-02 and does not unreasonably affect the significance of the heritage place.
- The proposal seeks to refresh and enhance the appearance of the heritage place which contains non-original fencing, balustrades, and doors.
- The proposed addition does not unreasonably dominate the contributory building on the Site or unreasonably detract from any neighbouring heritage place or the Carlton Precinct.

The following assessment of the Clause 15.03-1L-02 objectives, strategies and policy guidelines is provided to address the appropriateness of the proposed development.

12.2.1 Demolition

Clause 15.03-1L-02 states that partial demolition to significant elements or the front or principal part of a contributory building will not generally be permitted.

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

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

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

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

This was also confirmed by VCAT who found that *"demolition of the upper floor north wall and associated windows are...not elements that are at all readily visible from the street, despite the fact they may have heritage significance. On this basis, I am not persuaded that they need to be retained and this is consistent with the previous decision"*.

- The proposed demolition will facilitate the extended use of the Site without compromising the principal part of the building.
- The proposed demolition will not compromise the appearance or character of the heritage place.
- While the proposal contains significant internal rearrangement, these works do not require a permit as Clause 43.01 does not insert internal controls in this instance. Regardless, the demolition does not seek to alter the three dimensional form of the place or insert façadism; the levels and floor to ceiling heights are preserved.
- The proposal retains all six original chimneys.
- The proposed demolition works will not affect the conservation of the retained principal part of the buildings.
- It is noted the parapet termination at the east and west elevations is not shown on the plans. Given these are original elements; it is recommended they be retained.
 - It is recommended the parapet termination points be retained through a permit condition.

It is noted that concerns were raised as part of the previous application with regard to removal of the party wall between the three existing dwellings within the front façade. VCAT made no specific mention of this change within the decision, however it was stated that *"the proposed alterations to the front façade are an acceptable outcome"*.

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

This change will be secured via an amended plans condition.

12.2.2 Alterations

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

The proposed details adopt a modern design approach while maintaining a historic scale and form without proposing a direct reproduction. As confirmed by VCAT, the new metal fence to the front porch area and first floor balustrade would not detract from the appearance of the site or heritage precinct.

12.2.3 Additions

The proposed addition to the contributory building is an acceptable response to the policy at Clause 15.03-1L-02 based on the following:

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

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

- The proposed addition provides an acceptable transition of building height from the two storey structure on the Site to a three storey height which is similar to the buildings to the north.
- The modern materials applied to the addition are acceptable as they are secondary to the host heritage building and partially concealed by the existing surrounding built form.

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

12.2.4 Concealment of additions

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

The visibility of the addition is mitigated by:

- The structure being setback from the eastern title boundary.
- The existing context which contains a two storey blank wall addition at the rear of 2 MacArthur Place North.

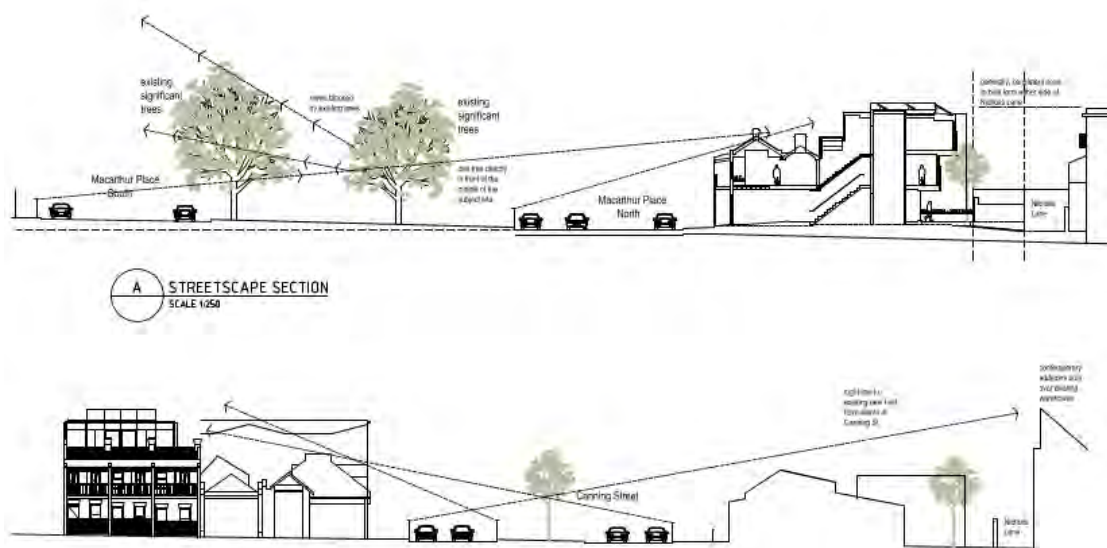


Figure 15 – Proposed sightlines

12.2.5 Vehicle accommodation and access

While Clause 15.03-1L-02 discourages on-site car parking and garages, the proposed vehicle accommodation and access is acceptable in this instance for the following reasons:

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

12.2.6 Services and Ancillary Fixtures

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

12.3 Built Environment (Urban Design)

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

- The built form aligns with the height, scale, context, and bulk of the buildings either side of the Site. This is achieved through proposing a respectful height which transitions from the two storey buildings lining MacArthur Place North towards the three storey buildings to the north at Elgin Street.
- The proposed addition is setback appropriately so that it is not a dominant addition to the streetscape at MacArthur Place North or Canning Street.
- The higher side boundary walls contain a range of materials, setbacks and detail to avoid unreasonable mass. The measures employed provide for adequate levels of visual interest.
- The new building does not introduce additional overshadowing to the public realm.
- The proposed vehicle access point is located at the rear, aligning with the built environment context within the surrounds and minimising pedestrian conflicts.

12.4 Clause 55 (ResCode)

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

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

12.4.1 Site Coverage – Clause 55.03-3

The proposal has a total site coverage of 86 per cent which is greater than the existing 60 per cent requirement of Standard B8.

The objective of Clause 55.03-3 seeks:

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

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

12.4.2 Permeability – Clause 55.03-4

The proposal contains 14 per cent permeable land which is less than the 20 per cent requirement of Standard B9.

The objective of Clause 55.03-4 seeks:

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

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

The variation is acceptable in this instance given the inner city context and the proposal contains a 4,800 litre rainwater tank which results in a STORM rating of 100 per cent. This will effectively reduce the Site's impact on the existing stormwater drainage system and satisfies the objective of Clause 55.03-4.

12.4.3 Side and Rear Setbacks – Clause 55.04-1

The objective of Clause 55.04-1 seeks:

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

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

The extension will also be setback in part from the eastern and northern boundaries at Level 1 and Level 2 which would not comply with the requirements of Standard B17.

The amenity impact of the previous development was considered by VCAT which is relevant to this assessment. VCAT found that the impact from the first floor of the addition on the SPOS of 4 MacArthur Place would be acceptable. VCAT found *“the proposal complies with the relevant standard and this area is one of compact dwellings, with small areas of SPOS and from which built form is already readily visible. I do not find that it is unreasonable to expect that new built form would be visible from existing residential properties” (Paragraph 74).*

However, VCAT found that the previous proposal’s second floor would be an unacceptable impact to the adjoining SPOS of 4 MacArthur Place North, resulting in unacceptable visual bulk impacts. VCAT advised that this impact could be mitigated by setting back the second floor extension further back from the rear boundary to align with the ground floor north wall of the dwelling at 4 MacArthur Place North. The revised scheme considered under this assessment has increased the rear setback at second floor level to align with the ground floor rear building line of 4 MacArthur Place North and therefore the proposal is considered to appropriately limit the amenity impact on this dwelling.

VCAT also found that the built form would not have an unacceptable impact on 2 MacArthur Place North, noting the context of the Site.

The proposed development under assessment in the current proposal would also lessen the potential amenity impact to 2 MacArthur Place North, when compared with the previous scheme though the reduction of the Level 2 built form and increased eastern setbacks, the revised proposal is therefore considered to comply with the Objective of Standard B17.

Additionally, Nicholls Lane provides adequate separation between the proposed north wall at Level 2 and the south wall of the properties to the north across Nicholls Lane; ensuring visual bulk is mitigated.

The objective of Clause 55.04-1 is met.

12.4.4 Walls on Boundaries – Clause 55.04-2

The Site has a lot depth of 26.5 metres which allows for a total length of wall on the east and west boundaries of 14.125 metres. The Site’s north boundary measures 5.5 metres which allows for a wall along the entirety of that boundary.

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

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

The proposal will be setback from the northern boundary.

The objective of Clause 55.04-2 seeks:

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

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

- The west wall abuts a car park and a commercial building to the west at 65 Elgin Street, the non-compliance with Standard B18 will not result in any adverse amenity impacts on 65 Elgin Street. From a character perspective, the proposal will not be overwhelming when viewed from the west as it is setback from the MacArthur Place North frontage. The wall will also be a continuation of an existing wall on boundary along this boundary.
- The east wall abuts the existing wall at No. 4 MacArthur Place North and will not result in unacceptable amenity impacts. The height and length of the eastern boundary wall is not uncommon in this area and is acceptable from a character perspective.
- The existing neighbourhood character contains a number of walls constructed on boundaries.

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

12.4.5 Overshadowing Open Space – Clause 55.04-5

The objective of Clause 55.04-5 seeks:

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

As demonstrated in the provided shadow diagrams, the proposal does not further reduce solar access to any adjoining dwelling's secluded private open space.

It is acknowledged that concerns were raised by objectors with the accuracy of the submitted shadow diagrams, which were corrected during the course of the application. The corrections related to the existing shadow at 10am and 3pm. The SPOS of 14 MacArthur Place North was also corrected to show it is located to the eastern boundary.

Planning officers conducted an independent review of the submitted shadow diagrams utilising City of Melbourne 3D modelling software and concluded that the submitted shadow diagrams accurately reflect the existing and proposed shadows expected from the Site and development.

Additionally, overshadowing was considered as part of the previous VCAT proceedings. It is acknowledged that there was initially dispute regarding the correct illustration of proposed shadowing to 2 and 4 MacArthur Place North during VCAT proceedings. Revised shadow diagrams were prepared and agreed during the proceedings. VCAT found that any additional overshadowing to occur would be acceptable based on the context of the Site, with small, narrow properties in an inner urban location where denser housing exists and similar outcomes would already be present.

The built form has also been setback further from the east as part of this application and the second floor extension setback further from the north. This will reduce any overshadowing to the east further than was previously proposed.

12.4.6 Landscaping – Clause 55.07-4

The objective of Clause 55.07-4 seeks:

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

The proposal provides approximately 10 square metres of deep soil, with a requirement for approximately 14.7 square metres. A canopy tree is proposed to the rear courtyard. Planter boxes are also provided at Level 1, 2 and the rooftop.

It is not considered that the Site is within an area of established landscape character with regard to landscaping in rear gardens. Given the context and size of the Site, the proposed landscaping is considered acceptable and will comply with the objective of Clause 55.07-4. The landscaping is appropriate for the existing urban context and the use of planter boxes will reduce the visual impact of the building. Currently there is no landscaping to the MacArthur Place North frontage, the proposed development is consistent with the existing situation. There is one existing canopy tree on the Site with the proposed canopy tree considered an acceptable replacement.

12.4.7 Room Depth – Clause 55.07-13

The objective of Clause 55.07-13 seeks:

To allow adequate daylight into single aspect habitable rooms.

Each proposed dwelling has a ceiling height of 2.7 metres which allows for a depth of 6.75 metres. The kitchen / dining / living area of Apartment 1 will have a depth of 7.7 metres and the kitchen is not located furthest from the window, therefore Standard B47 is not met. A similar arrangement is also proposed at Apartment 2. A light well will provide secondary light to the kitchen / dining / living areas on Level 1 and 2.

The kitchen / dining / living areas of Apartment 1 and 2 are considered to receive adequate daylight despite noncompliance with Standard B47. This is on the basis that these rooms are north facing and both benefit from a secondary light source in the form of the light court. For Apartment 1 the area furthest from the northern fenestration is a corridor area. For Apartment 2 the area furthest from the northern fenestration is the southern end of the living room where the TV / entertainment units are proposed.

It is also noted that this layout was shown on the plans considered by the Tribunal and no issue was raised with this arrangement.

The proposed development is therefore considered to comply with the Objective to Clause 55.07-13.

12.5 Traffic

This section addresses transport related matters not already addressed above.

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

- The proposal does not exceed the maximum car parking rate of one space per dwelling and does not require a permit under the Parking Overlay, Schedule 12.
- Nicholls Lane is a laneway, which means it is a road and is therefore legally available to provide vehicle access to those properties that have the benefit of a frontage to it.
- The City of Melbourne's Traffic Engineers have confirmed they do not have concerns with the proposed use of the lane or car parking provision.

12.6 Objections

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

Car lift is located adjacent to a bedroom on ground level

This concern was considered by VCAT as part of the previous application. VCAT found that this could be addressed through conditions to ensure some noise attenuation was achieved to the bedroom. It was also noted that the lift would be used infrequently. A condition will be included on any permit issued requiring noise attenuation measures to the bedroom adjoining the car lift.

Trees unlikely to grown in the retained open space

The proposal has been reviewed by Council's ESD and Green Infrastructure Officer who offered no objection to the proposal. There is no reason to believe that the tree proposed to be planted in the rear courtyard would not grow. This tree will receive daylight and has an associated area of deep soil planting comprising 10 square metres.

Loss of views

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

Bins will turn into a nuisance; a bin washing area has not been provided; insufficient waste provision

Bins associated with the development will be stored at basement level and brought to MacArthur Place North for collection via the lift and communal entranceway. This arrangement has been reviewed and agreed by Council's Waste Engineering Team, as has the submitted Waste Management Plan which was found to be acceptable.

Impact of construction of basement on adjoining properties

Construction impacts on adjoining properties are not a planning matter and will be dealt with at building permit stage.

Object to bins associated with Elgin Street properties being stored along the wall adjoining 2 MacArthur Place North / Nicholls Lane

As set out above, the agreement for bins to be stored on Nicholls Lane will be revoked for all but two properties. As such, only four bins will be stored in Nicholls Lane in the future under Council's current waste management policies. The applicant has submitted revised swept path diagrams demonstrating that vehicle access is possible via Nicholls Lane taking into consideration these four retained bins will be stored closest to the relevant properties associated with the bins, not on the wall adjoining 2 MacArthur Place North.

The proposed replacement street light in Nicholls Lane will not provide adequate lighting to maintain safety of the area. Details of the replacement light pole should be provided as part of the application.

Council's Civil Design Team have reviewed the proposal to replace the existing street light in Nicholls Lane. This street light pole is required to be relocated to allow for vehicle access from Nicholls Lane to the Site. The replacement street light is proposed to be attached to the northern elevation of the building at first floor level. This arrangement has been reviewed by City of Melbourne's Civil Design Team who have confirmed it is an acceptable arrangement subject to conditions, including approval of the final design prior to installation. The applicant has agreed in principal that the required conditions can be met.

It is considered appropriate that the detailed final design for the replacement light pole can be agreed with City of Melbourne prior to installation rather than details be provided at planning application stage. This is on the basis that the relocated street light is agreed in principal with Civil Design and the applicant has confirmed in principal that the required conditions can be met. This is a similar approach to agreeing other detailed matters via condition rather than at planning application stage.

Safety issues associated with creation of “alcove” as a result of the angled car elevator due to lack of passive surveillance of this area.

An objector has raised concerns with the creation of an “alcove” area as a result of the angled car elevator. This area will have limited visibility from Canning Street and Nicholls Lane when approaching from the east. To mitigate any potential safety concerns it is considered appropriate to ensure there is sufficient lighting to this area. It is also recommended that a convex mirror be installed to provide visibility of this space when approaching from the east. These changes will be secured via condition.

The applicant has accepted that spot / motion censored lighting can be included in this area, subject to a permit condition, to improve visibility and an enhanced sense of safety at night.

The applicant has also questioned whether this would be an unsafe place, on the basis that it is their view that where concealed entries are twice as wide as they are deep, there is sufficient visibility to avoid creating a place for ‘hiding’.

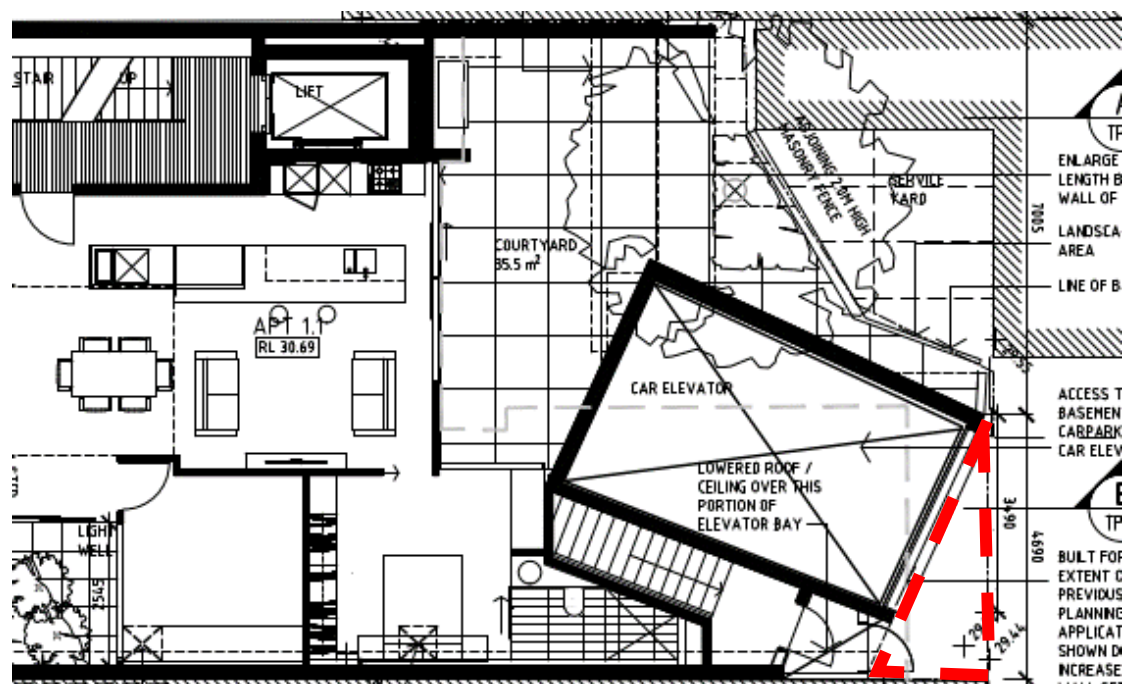


Figure 16 – Proposed Ground Floor Plan

Landscaped roofs would not be easily accessible for maintenance

The applicant has reviewed the objections received and advised that landscaped areas would be managed by way of automated irrigation systems. Abseil access to first-storey roof areas would only be required for occasional maintenance. Anchor points have been proposed to ensure access is possible. This is considered an appropriate arrangement given the size of the landscaped roof and the frequency that maintenance of this space would be required.

Use of Nicholls Lane for vehicle entry will affect property values

Impacts of development on property values is not a planning consideration.

Impact on Nicholls Lane during construction

Construction impacts will be managed via the submission of a Construction Management Plan that would be required by condition on any permit that may issue.

Nicholls Lane should not be classified as a road

The status of Nicholls Lane as a road appears to date to at least 1963 when the Plan of Subdivision for the Site was prepared. Similar laneways are classified as roads elsewhere in the municipality.

The proposal relies on assumptions about future development potential of adjoining properties

It is considered that the layout of the proposed development will reasonably allow equitable development opportunities for its immediate neighbours, noting that the proposed development does not rely on borrowed outlook over any neighbouring property to any habitable room windows, balconies or terraces.

12.7 Environmentally Sustainable Design

Clause 15.01-2L-01 (Energy and resource efficiency) requires applications for dwellings up to 5,000 m² to achieve a 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent and provide a waste management plan.

The application is supported by an Environmentally Sustainable Design (ESD) Report which has been reviewed by Council's ESD Officer who has confirmed that the ESD commitments are generally in accordance with the requirements of the Melbourne Planning Scheme. Some additional information is required to be reflected on the plans or within the ESD report, as detailed at Section 11.1.7. This will be addressed via a condition included on any permit issued.

12.8 Stormwater Management

Policy at Clause 19.03-3L (Stormwater Management (Water Sensitive Urban Design)) encourages the use of water sensitive urban design to minimise the detrimental effect of development on downstream waterways and peak stormwater flows.

The proposal contains a 4,800 litre rainwater tank which result in a STORM rating of 100 per cent. These measures satisfy the STORM requirements and therefore satisfy Clause 19.03-3L. Concerns have been raised by an objector that the size of the rainwater tank does not reflect that shown on the plans. However, the plans indicate a tank size of 1.3 m x 1.3 m x 3.3 m which would provide sufficient capacity for the 4,800L commitment.

13 RECOMMENDATION

Having considered all relevant provisions of the Melbourne Planning Scheme, in addition to the matters required under Section 60 of the *Planning and Environment Act 1987*, Planning recommends that the Future Melbourne Committee issue:

- A Notice of Decision to Grant a Permit, subject to conditions set out below.

14 WHAT WILL THE PERMIT ALLOW

The description of what the permit allows should read:

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

15 CONDITIONS

1. Prior to the commencement of the development, an electronic set of plans drawn to scale, must be submitted to the Responsible Authority, generally in accordance with the plans prepared by DP Toscano Architects Pty Ltd dated 6 July 2022 but amended to show:

- a. Increase the setback of the roof terrace balustrade to a minimum of 4.7 metres from the eastern boundary and 14 metres from the MacArthur Place North. This must not result in reduction in setback to any other boundaries.
- b. The existing roof forms within 9.04 metres from MacArthur Place North to be accurately shown and retained.
- c. Reduced Levels shown on the North Elevation shown on TP01 Rev A.
- d. An annotation stating - "Retain the existing roof slopes and gutters, and the associated roof structure in situ."
- e. Retention of the existing parapet termination on the east and west elevations.
- f. Retention of original windows, door and door frames at the south elevation, except for the ground level entry door at number 10 MacArthur Place North.
- g. Deletion of the proposed openings to the verandah party walls at the ground level.
- h. The details for the verandah terrace paving materials.
- i. Annotation confirming material reference for roof top balustrade to all elevations.
- j. An annotation stating – "Rainwater tank is connected to toilets for flushing".
- k. The provision of a convex mirror, or similar, to the rear of the development where it adjoins Nicholls Lane to improve visibility of the car lift entrance area.
- l. The provision of motion sensor external lightings in the driveway area between Nicholls Lane and the car park entrance.
- m. West facing window to study of Apartment 2 shown on Western Elevation in accordance with window shown on the First Floor Plan.
- n. Any changes required by the Structural Engineering Report required by condition 4.
- o. Any changes required by the ESD report required by Condition 5.
- p. An acoustic report and any changes as required by Condition 8.

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

Secondary Consent

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

Features above roof level

3. 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.

Structural Engineer 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 and approved by the Responsible Authority. The report must demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to the Melbourne City Council and be to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design

5. Prior to the commencement of the development, an amended Environmentally Sustainable Design (ESD) report shall be prepared by a suitably qualified professional, submitted to and approved by the Responsible Authority. The ESD Report must be generally in accordance with the ESD report prepared by GIW dated 14 July 2022 but amended to provide further justification regarding the following unconfirmed points, unless otherwise agreed by the Responsible Authority:
 - a. Details of the solar PV provision, in accordance with those shown on the planning drawings, including total system size, number of panels and panel output.
 - b. Details of solar hot water provision, in accordance with the details shown on the planning drawings.

When approved, the Environmentally Sustainable Design Report will form part of the permit.

Incorporation of Sustainable Design Initiatives

6. The performance outcomes specified in the ESD Statement must be achieved in the completed development to the satisfaction of the Responsible Authority.

Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Report, must be documented by the author of the endorsed ESD Report in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Construction Management Plan

7. Prior to the commencement of the development, a detailed construction management plan must be submitted to and be approved by the Melbourne City Council – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:
 - a) public safety, amenity and site security.
 - b) operating hours, noise and vibration controls.
 - c) air and dust management.
 - d) stormwater and sediment control.
 - e) waste and materials reuse.
 - f) traffic management.

Noise

8. Concurrent with the endorsement of plans under Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must not be altered or modified unless with the prior written consent of the Responsible Authority. The Acoustic Report must include the following:
 - a. Noise and location of the proposed mechanical plant and equipment (including the car lift) on site will comply with the relevant noise protocols and guidelines at all times.
9. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

10. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by onemilegrid dated 20th September 2022.

Once approved, the WMP must not be altered without prior consent of the City of Melbourne – Waste and Recycling.

Civil Design

11. The title boundaries for the property may not exactly agree with the road alignments of those abutting the City of Melbourne's laneway. The approved works must not result in structures that encroach onto the City of Melbourne's laneway.
12. 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.
13. 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.
14. Prior to the removal of the existing street lighting in Nicholls Lane, the street lighting pole and associated lighting elements in Nicholls Lane must be either permanently or temporarily relocated to the satisfaction of the Responsible Authority.
15. The replacement wall mounted street light to Nicholls Lane in an ultimate location must meet all of the requirements below, unless otherwise agreed with the Responsible Authority:
 - a. Be connected to an unmetered 2amp point of supply provided by Citipower in a pit.
 - b. Have conduits and a four module waterproof switchboard enclosure (Clipsal 56SB4) surface mounted and accessible to CoM electrician at all times.
 - c. Have a height from finished surface to the street light of at least 5 metres.

Consent for the final design of the street light must be obtained from City of Melbourne prior to the installation of the replacement street light.

Installation must meet City of Melbourne and Citipower requirements and be compliant with AS3000 and Victorian SIR.

16. 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 – City Infrastructure.
17. The footpath adjoining the site along MacArthur Place North must be reconstructed together with associated works including the reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
18. 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 – City Infrastructure.
19. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.

Expiry

20. This permit will expire if one or more of the following circumstances apply:

- a) The development is not started within three years of the date of this permit.
- b) The development is not completed within five years of the date of this permit.

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

PERMIT NOTES

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

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.

Council will not change the on-street parking restrictions to accommodate the access, servicing, delivery or parking needs of this development as the restrictions are designed to cater for a number of other competing demands and access requirements. As this development increases the residential density of the property, the residents who will occupy this development will not be eligible to receive 'Area 4B resident parking permits' and will not be exempt from any on-street parking restrictions.

Clause 55 Assessment

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

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

Purpose

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

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

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

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

Requirement:

A development:

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

55.02 – NEIGHBOURHOOD CHARACTER & INFRASTRUCTURE	
55.02-1 – NEIGHBOURHOOD CHARACTER OBJECTIVE	
<i>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</i>	
<i>To ensure that development responds to the features of the site and the surrounding area</i>	
Standard B1	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal seeks to extend three dwellings on a lot. The design of the extension is considered to align with the setback and concealment requirements of Clause 15.03-1L-02 and is respectful to the existing heritage streetscape and character. The height and scale of the proposal aligns with the existing built environment character with the immediate surrounds.</p> <p>The proposal acknowledges the existing features of the site and has been designed around the existing structures and private open space.</p>
55.02-2 – RESIDENTIAL POLICY OBJECTIVE	
<i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i>	
<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i>	
Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The written submission for the proposal addresses the relevant sections of the Melbourne Planning Scheme, satisfying Standard B2.</p>
55.02-3 – DWELLING DIVERSITY OBJECTIVE	
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i>	
Standard B3	<p>Developments of 10 or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Standard not applicable: <input checked="" type="checkbox"/></p> <p>The proposed development comprises three dwellings.</p>
55.02-4 – INFRASTRUCTURE OBJECTIVE	
<i>To ensure development is provided with appropriate utility services and infrastructure.</i>	
<i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>	

Standard B4	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Connection to a reticulated gas service is optional.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>		
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>All of the relevant services are available to the site.</p>		
<p>55.02-5 – INTEGRATION WITH THE STREET OBJECTIVE</p> <p><i>To integrate the layout of development with the street.</i></p>			
Standard B5	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be orientated to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>		
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <ul style="list-style-type: none"> • The proposed development introduces additional access via the rear of the site. • The orientation of the development fronts MacArthur Place North (primary frontage). • The application does not include any new high fences that would detract from the streetscape. • The development does not overshadow any existing public open space. 		
<p><u>55.03 – SITE LAYOUT AND BUILDING MASSING</u></p>			
<p>55.03-1 – STREET SETBACK OBJECTIVE</p> <p><i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i></p>			
Standard B6	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or • If no distance is specified in a schedule to the zone, the distance specified in Table B1. <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>		
Table B1 Street setback			
	Development context	Minimum setback from front street (metres)	Minimum setback from side street (metres)
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable

	The site is on a corner.	<p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p>	<p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>		
	<p>The site is located on a lot where there is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</p> <p>The proposal does not seek to alter the front setback of the existing building on the site.</p>		
<p>55.03-2 – BUILDING HEIGHT OBJECTIVE</p> <p><i>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</i></p>			
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>		
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>		
	<p>The proposed building does not exceed the height of the 11 metre height control specified in Schedule 1 to Clause 32.08 (GRZ1).</p> <p>The height of the proposed three storey rear structure respects the existing neighbourhood character which contains two and three storey buildings.</p> <p>The higher sections of the proposal respond well to the existing heritage building on the site by being setback behind the front part of the building.</p> <p>The height of the proposed structure transitions appropriately from the two storey building on the site towards the three storey buildings to the north.</p>		
<p>55.03-3 – SITE COVERAGE OBJECTIVE</p> <p><i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i></p>			
Standard B8	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> • The maximum site coverage specified in a schedule to the zone, or • If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 		
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>		
	<p>See Section 12.4.1.</p>		

55.03-4 – PERMEABILITY AND STORMWATER MANAGEMENT OBJECTIVE	
<i>To reduce the impact of increased stormwater run-off on the drainage system.</i>	
<i>To facilitate on-site stormwater infiltration.</i>	
<i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i>	
Standard B9	<p>The site area covered by pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum area specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> • Meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). • Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	See Section 12.4.2.
55.03-7 – SAFETY OBJECTIVE	
<i>To ensure the layout of development provides for the safety and security of residents and property.</i>	
Standard B12	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>
	<p>The proposal's dwelling entries are clear, safe, and legible.</p> <p>The demarcation of private areas is achieved by the proposed front fences / gates.</p> <p>A pedestrian entrance to the basement car parking is provided from Nicholls Lane. This pedestrian door adjoins the car lift and is located behind the rear boundary wall of 4 MacArthur Place North by approximately 2 metres. This entrance will have limited visibility from Canning Street and Nicholls Lane when approaching from the east. To mitigate any potential safety concerns it is considered appropriate to ensure there is sufficient lighting to this area. It is also recommended that a convex mirror be installed to provide visibility of this space when approaching from the east. These changes will be secured via condition.</p>
55.03-9 – ACCESS OBJECTIVE	
<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</i>	
Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • If the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>
Assess	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>

	The proposal seeks to make use of an existing rear lane for access.
55.03-10 – PARKING LOCATION OBJECTIVE	
<i>To provide convenient parking for resident and visitor vehicles.</i>	
<i>To protect residents from vehicular noise within developments.</i>	
Standard B1	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal contains secure car parking in the proposed basement which is conveniently accessed from the rear via Nicholls Lane.</p> <p>The proposed access point is more than 1.5 metres from a habitable room window.</p>
<u>55.04 – AMENITY IMPACTS</u>	
55.04-1 – SIDE AND REAR SETBACKS OBJECTIVE	
<i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i>	
Standard B17	<p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or • If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p> <p>Refer to ‘Diagram B1 Side and rear setbacks’</p>
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>See Section 12.4.3.</p>
55.04-2 – WALLS ON BOUNDARIES OBJECTIVE	
<i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i>	
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in a schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or

	<ul style="list-style-type: none"> 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 <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>
Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	See Section 12.4.4.
55.04-3 – DAYLIGHT TO EXISTING WINDOWS OBJECTIVE <i>To allow adequate daylight into existing habitable room windows.</i>	
Standard B19	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p> <p><i>Refer to ‘Diagram B2 Daylight to existing windows’</i></p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	<p>The nearest windows facing the Site are those associated with the rear of the commercial premises at 63 Elgin Street, and the windows to the rear of the properties fronting Elgin Street. These windows will have sufficient separation from the proposed development and will comply with Standard B19.</p>
55.04-4 – NORTH-FACING WINDOWS OBJECTIVE <i>To allow adequate solar access to existing north-facing habitable room windows.</i>	
Standard B20	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p> <p><i>Refer to ‘Diagram B3 North-facing windows’</i></p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	<p>The proposed development does not locate any building directly opposite any north-facing windows.</p>
55.04-5 – OVERSHADOWING OPEN SPACE OBJECTIVE <i>To ensure buildings do not significantly overshadow existing secluded private open space.</i>	

Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>See Section 12.4.5.</p>
55.04-6 – OVERLOOKING OBJECTIVE	
<i>To limit views into existing secluded private open space and habitable room windows.</i>	
Standard B22	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metres above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p> <p>Refer to ‘Diagram B4 Overlooking open space’</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal contains north and west facing windows at Level 1, north and east facing windows at Level 2 and a roof terrace where overlooking is possible from. The proposal also includes balconies at Level 1 and 2 which will be more than 9 metres from the properties to the north fronting Elgin Street with potential overlooking only possible to the adjoining commercial properties.</p> <p>The proposal contains opaque glazing applied to the north and east windows at Levels 1 and 2. The location of the terrace balustrade and fixed planters ensure that direct views to the east adjoining property’s secluded private open space is not possible. It has also been demonstrated that overlooking will not be possible to the SPOS to the west at 14 MacArthur Place North. No other point of potential overlooking is within 9 metres of an adjoining habitable room window or balcony. Views from the west facing window will be over the adjoining commercial properties. However, it is noted that this window does not appear to be shown on the west elevation and therefore, a condition will be included on any permit issued requiring the detail of this window be shown on the West Elevation.</p> <p>The proposed screening measures comply with the objective and standard of Clause 55.04-6.</p>
55.04-7 – INTERNAL VIEWS OBJECTIVE	

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal contains individual dwellings at each level that limits the potential for internal views. There are limited opportunities for internal views resulting from the west-facing window to the study at Level 2. Based on the location of the window an area of approximately 20.4 m² of the ground floor courtyard will be free from internal views from above. This is 56% of the SPOS at ground floor being free from internal views, compliant with the Standard.</p>
<u>55.05 – ON-SITE AMENITY AND FACILITIES</u>	
55.05-3 – DAYLIGHT TO NEW WINDOWS OBJECTIVE	
<i>To allow adequate daylight into new habitable room windows.</i>	
Standard B27	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or A verandah provided it is open for at least one third of its perimeter, or A carport provided it has two or more open sides and is open for at least one third of its perimeter.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>All the proposed windows satisfy Standard B27.</p> <p>The ground level windows to the kitchen and living area are adjacent to the rear cantilevered section of the building. This cantilever could be assessed as a verandah / balcony above. The area below the cantilever has a perimeter of 17.5 metres with the open side measuring 6 metres. This equates to 34 per cent of the perimeter being open (greater than one third) which complies with Standard B27.</p>
55.05-4 – PRIVATE OPEN SPACE OBJECTIVE	
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	
Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>
Assess	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>

	The proposed areas of private open space for each dwelling exceed the Standard provided by Clause 55.				
55.05-5 – SOLAR ACCESS TO OPEN SPACE OBJECTIVE					
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i>					
Standard B29	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Refer to 'Diagram B5 Solar access to open space'</p>				
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Where possible, the proposal contains private open space at the north side of the site. Apartment 3's lack of northern private open space is justified by the existing heritage constraints of the site and mitigated by its access to the roof terrace.</p> <p>There is a 3.8 metre high wall that is to the north of the secluded private open space of the dwelling at Ground level and Level 1. Based on this wall, the south boundary of the open space at ground level is required to be 5.4 metres from the wall.</p> <p>The south boundary of the private open space is minimum 5.8 metres from the north wall found at the northern adjoining site, complying with the Standard.</p>				
<u>55.06 – DETAILED DESIGN</u>					
55.06-1 – DETAIL DESIGN OBJECTIVE					
<i>To encourage design detail that respects the existing or preferred neighbourhood character.</i>					
Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>Should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>				
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposal is considered to appropriately respond to the window and façade articulation of the existing building. While the addition is clearly modern, the details and form of the rear structure have been designed to respect the character of the host building and built form in the immediate surrounds.</p>				
55.06-2 – FRONT FENCES OBJECTIVE					
<i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i>					
Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> • The maximum height specified in a schedule to the zone, or • If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres
Street Context	Maximum front fence height				
Streets in a Road Zone, Category 1	2 metres				

	Other streets	1.5 metres
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>	
	The proposal seeks to replace the existing horizontal boards across the front of the subject site with simple vertical metal pickets to a maximum height of 1.4 metres. This is in keeping with the heritage policies that encourage an interpretive response to the traditional iron picket fencing of the area and will present an improvement to the streetscape.	
55.06-3 – COMMON PROPERTY OBJECTIVES <i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i> <i>To avoid future management difficulties in areas of common ownership.</i>		
Standard B33	Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input type="checkbox"/>	
	The communal areas are contained to the car lift, vehicle circulation spaces, entry / lobby area and pedestrian lift. These are not anticipated to present any management difficulties.	
55.06-4 – SITE SERVICES OBJECTIVES <i>To ensure that site services can be installed and easily maintained.</i> <i>To ensure that site facilities are accessible, adequate and attractive.</i>		
Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.	
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>	
	Site facilities for the proposal are adequate and accessible. Letterboxes are suitably sized and have been incorporated into the proposed front fence. Service meters (gas and water etc.) are currently located under the front verandah. It is anticipated these services can similarly be located under the verandah near the entry to the building.	
<u>55.07 – APARTMENT DEVELOPMENTS</u>		
55.07-1 – ENERGY EFFICIENCY OBJECTIVES <i>To achieve and protect energy efficient dwellings and buildings.</i> <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i> <i>To ensure dwellings achieve adequate thermal efficiency.</i>		
Standard B35	Buildings should be: <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings located on adjoining lots in a General Residential Zone, Neighbourhood 	

	<p>Residential Zone or Township Zone are not unreasonable reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</p> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is optimised.</p> <p>Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.</p> <p>Table B4 Cooling load</p> <table border="1"> <thead> <tr> <th>NatHERS climate zone</th> <th>NatHERS maximum cooling load MJ/M² per annum</th> </tr> </thead> <tbody> <tr> <td>Climate zone 21 Melbourne</td> <td>30</td> </tr> </tbody> </table> <p>Note: Refer to NatHERS zone map. Nationwide Housing Energy Rating Scheme (Commonwealth Department of Environment and Energy).</p>	NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum	Climate zone 21 Melbourne	30
NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum				
Climate zone 21 Melbourne	30				
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The proposed dwelling orientation is guided by the existing heritage building. The location of private open space is appropriately located at the northern side of the site.</p> <p>The proposal complies with the relevant NatHERS maximum cooling load.</p> <p>There are existing solar panels at 2, 4 and 12 MacArthur Place North. None of which would be unreasonably impacted by the proposed development. Noting the solar panels to 4 MacArthur Place North are located on the east facing roof which would have limited solar access in the afternoon during the time the proposed development has potential to overshadow 4 MacArthur Place North.</p>				
<p>55.07-2 – COMMUNAL OPEN SPACE OBJECTIVE</p> <p><i>To provide communal open space that meets the recreation and amenity needs of residents.</i></p> <p><i>To ensure that communal open space is accessible, functional, and is easily maintained.</i></p> <p><i>To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.</i></p>					
Standard B36	<p>A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.</p> <p>If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.</p> <p>Each area of communal open space should be:</p> <ul style="list-style-type: none"> • Accessible to all residents. • A useable size, shape and dimension. • Capable of efficient management. • Be located to: <ul style="list-style-type: none"> - Provide passive surveillance opportunities, where appropriate. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and private open space of new dwellings. - Minimise noise impacts to new and existing dwellings. <p>Any area of communal outdoor open space should be landscaped and include canopy cover and trees.</p>				
Assessment	<p>Complies with Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Standard not applicable: <input checked="" type="checkbox"/></p> <p>The proposed development does not contain 10 or more dwellings.</p>				
<p>55.07-3 – SOLAR ACCESS TO COMMUNAL OUTDOOR OPEN SPACE OBJECTIVE</p> <p><i>To allow solar access into communal outdoor open space.</i></p>					

Standard	The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.													
Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/> Standard not applicable: <input checked="" type="checkbox"/>													
	The proposal does not contain communal open space.													
55.07-4 – LANDSCAPING OBJECTIVE <i>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</i> <i>To preserve existing canopy cover and support the provision of new canopy cover.</i> <i>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</i>														
Standard B38	Development should retain existing trees and canopy cover. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. Development should: <ul style="list-style-type: none"> • Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5. • Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> - Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6. - Consistent with the canopy diameter and height at maturity specified in Table B7. - Located in communal outdoor open space or common areas or street frontages. • Comprise smaller trees, shrubs and ground cover, including flowering native species. • Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. • Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption. • Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. • Protect any predominant landscape features of the area. • Take into account the soil type and drainage patterns of the site. • Provide a safe, attractive and functional environment for residents. • Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting. 													
	Table B5 Canopy cover and deep soil requirements <table border="1"> <thead> <tr> <th>Site area</th> <th>Canopy cover</th> <th>Deep soil</th> </tr> </thead> <tbody> <tr> <td>1000 Square metres or less</td> <td>5% of site area Include at least 1 Type A tree</td> <td>5% of site area or 12 square metres whichever is the greater</td> </tr> <tr> <td>1001 – 1500 Square metres</td> <td>50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree</td> <td>7.5% of site area</td> </tr> <tr> <td>1501 – 2500 Square metres</td> <td>150 square metres plus 20% of site area above 1,500 square metres</td> <td>10% of site area</td> </tr> </tbody> </table>		Site area	Canopy cover	Deep soil	1000 Square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater	1001 – 1500 Square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area	1501 – 2500 Square metres	150 square metres plus 20% of site area above 1,500 square metres	10% of site area
Site area	Canopy cover	Deep soil												
1000 Square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater												
1001 – 1500 Square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area												
1501 – 2500 Square metres	150 square metres plus 20% of site area above 1,500 square metres	10% of site area												

		Include at least 2 Type B trees or 1 Type C tree	
2500 Square metres or more		350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area
Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metres
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres
Table B6 Soil requirements for trees			
Note:			
<i>Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.</i>			
Table B7 Tree types			
Tree types	Minimum canopy diameter at maturity	Minimum height at maturity	
A	4 metres	6 metres	
B	8 metres	8 metres	
C	12 metres	12 metres	
Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/>		
	Variation from Standard and meets the Objective: <input checked="" type="checkbox"/>		
Variation from Standard and fails to meet the Objective: <input type="checkbox"/>			
See Section 12.4.6.			
55.07-5 – INTEGRATED WATER AND STORMWATER MANAGEMENT OBJECTIVES			
<i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i>			
<i>To facilitate stormwater collection, utilisation and infiltration within the development.</i>			
<i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i>			
Standard B39	Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.		
	Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.		
The stormwater management system should be:			
<ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. 			

	<ul style="list-style-type: none"> Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	The proposal contains a 4,800 litre rain water tank and planters that result in a STORM rating of 100 per cent. This is appropriate.
55.07-6 – ACCESS OBJECTIVE <i>To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</i> <i>To ensure that vehicle crossovers are designed and located to minimise visual impact.</i>	
Standard B40	<p>Vehicle crossovers should be minimised.</p> <p>Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.</p> <p>Pedestrian and cyclist access should be clearly delineated from vehicle access.</p> <p>The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</p> <p>Development must provide access for service, emergency and delivery vehicles.</p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	<p>Vehicle access is proposed from the rear via Nicholls Lane. No additional vehicle crossovers are proposed from MacArthur Place North. The size of the car parking entry is limited to one vehicle width and is well integrated with the building. Pedestrian access is primarily from MacArthur Place North, however a secondary pedestrian access to basement level is available via Nicholls Lane. Pedestrian safety associated with vehicle access provided from Nicholls Lane is discussed in depth within Section 12 of this report.</p>
55.07-7 – NOISE IMPACTS OBJECTIVE <i>To contain noise sources in developments that may affect existing dwellings.</i> <i>To protect residents from external and internal noise sources.</i>	

Standard B41	<p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>The layout of new dwellings and buildings should minimise noise transmission within the site.</p> <p>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</p> <p>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table B8 should be designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none"> • Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. • Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</p> <p>Table B8 Noise influence area</p> <table border="1"> <thead> <tr> <th>Noise source</th> <th>Noise influence area</th> </tr> </thead> <tbody> <tr> <td colspan="2">Zone interface</td> </tr> <tr> <td>Industry</td> <td>300 metres from the Industrial 1, 2 and 3 zone boundary</td> </tr> <tr> <td colspan="2">Roads</td> </tr> <tr> <td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td> <td>300 metres from the nearest trafficable lane</td> </tr> <tr> <td colspan="2">Railways</td> </tr> <tr> <td>Railway servicing passengers in Victoria</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight outside Metropolitan Melbourne</td> <td>80 metres from the centre of the nearest track</td> </tr> <tr> <td>Railway servicing freight in Metropolitan Melbourne</td> <td>135 metres from the centre of the nearest track</td> </tr> <tr> <td colspan="2"><i>Note: The noise influence area should be measured from the closest part of the building to the noise source.</i></td> </tr> </tbody> </table>	Noise source	Noise influence area	Zone interface		Industry	300 metres from the Industrial 1, 2 and 3 zone boundary	Roads		Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane	Railways		Railway servicing passengers in Victoria	80 metres from the centre of the nearest track	Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track	Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track	<i>Note: The noise influence area should be measured from the closest part of the building to the noise source.</i>	
Noise source	Noise influence area																				
Zone interface																					
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary																				
Roads																					
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane																				
Railways																					
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track																				
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track																				
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track																				
<i>Note: The noise influence area should be measured from the closest part of the building to the noise source.</i>																					
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>There are no significant noise sources near the Site. The car lift will be located adjoining a ground floor bedroom. In accordance with the recommendation made by VCAT previously a condition will be included on any permit issued requiring appropriate noise attenuation measures are included to protect the bedroom from noise impacts associated with the car lift.</p>																				
<p>55.07-8 – ACCESSIBILITY OBJECTIVE</p> <p><i>To ensure the design of dwellings meets the needs of people with limited mobility.</i></p>																					
Standard B42	<p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none"> • A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. • A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. • A main bedroom with access to an adaptable bathroom. 																				

	<ul style="list-style-type: none"> At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9. <p>Table B9 Bathroom design</p> <table border="1"> <thead> <tr> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening.</td> <td>A clear 820mm wide door opening located opposite the shower.</td> </tr> <tr> <td>Door design</td> <td>Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td> <td>Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges. </td> </tr> <tr> <td>Circulation area</td> <td>A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p> </td> <td>A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. <p>The circulation area can include a shower area.</p> </td> </tr> <tr> <td>Path to circulation area</td> <td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td> <td>Not applicable.</td> </tr> <tr> <td>Shower</td> <td>A hobless (step-free) shower.</td> <td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td> </tr> <tr> <td>Toilet</td> <td>A toilet located in the corner of the room.</td> <td>A toilet located closest to the door opening and clear of the circulation area.</td> </tr> </tbody> </table>		Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges. 	Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>	Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.	Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.
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	The proposed dwellings comply with the requirements.																					
<p>55.07-9 – PRIVATE OPEN SPACE ABOVE GROUND FLOOR OBJECTIVE</p> <p><i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i></p>																						
Standard B43	<p>A dwelling should have private open space consisting of:</p> <ul style="list-style-type: none"> An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room. A balcony with at least the area and dimensions specified in Table B10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table B10 should be increased by at least 1.5 square metres. An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room. <p>Table B8 Balcony size</p>																					

	Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
	North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
	South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
	Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
		2 bedroom dwelling	8 square metres	2 metres
		3 or more bedroom dwelling	12 square metres	2.4 metres
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>			
	Each dwelling is provided with at least one area of private open space which meets the requirements of Standard B43.			
55.07-10 – STORAGE OBJECTIVE <i>To provide adequate storage facilities for each dwelling.</i>				
Standard B44	Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.			
	Table B9 Storage			
		Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
		Studio	8 cubic metres	5 cubic metres
		1 bedroom dwelling	10 cubic metres	6 cubic metres
		2 bedroom dwelling	14 cubic metres	9 cubic metres
	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>			
	The provision of storage facilities complies with Standard B44. Each dwelling is provided with storage within the apartment and at basement level.			
55.07-11 – WASTE AND RECYCLING OBJECTIVE <i>To ensure dwellings are designed to encourage waste recycling.</i> <i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i> <i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>				
Standard B45	Developments should include dedicated areas for: <ul style="list-style-type: none"> • Waste and recycling enclosures which are: <ul style="list-style-type: none"> • Adequate in size, durable, waterproof and blend in with the development. • Adequately ventilated. • Located and designed for convenient access by residents and made easily accessible to people with limited mobility. • Adequate facilities for bin washing. These areas should be adequately ventilated. 			

	<ul style="list-style-type: none"> Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 																		
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p>																		
	<p>Waste is proposed to be stored in the basement and taken up the lift, through the lobby to the site frontage on MacArthur Place North.</p> <p>The City of Melbourne's Waste Services Team is supportive of the proposed waste management plan.</p>																		
<p>55.07-12 – FUNCTIONAL LAYOUT OBJECTIVE</p> <p><i>To ensure dwellings provide functional areas that meet the needs of residents.</i></p>																			
Standard B44	<p>Bedrooms should:</p> <ul style="list-style-type: none"> Meet the minimum room dimensions specified in Table B10. Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. <p>Table B10 Bedroom dimensions</p> <table border="1"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.</p> <p>Table B11 Living area dimensions</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10sq.m</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12sq.m</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10sq.m	2 or more bedroom dwelling	3.6 metres	12sq.m
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	<p>The proposed dwellings all meet the requirements.</p>																		
<p>55.07-13 – ROOM DEPTH OBJECTIVE</p> <p><i>To allow adequate daylight into single aspect habitable rooms.</i></p>																			
Standard B47	<p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> The room combines the living area, dining area and kitchen. The kitchen is located furthest from the window. The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. 																		

	The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.
Assessment	Complies with Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	See Section 12.4.7.
55.07-14 – WINDOWS OBJECTIVE	
<i>To allow adequate daylight into new habitable room windows.</i>	
Standard B48	<p>Habitable rooms should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none"> • A minimum width of 1.2 metres. • A maximum depth of 1.5 times the width, measured from the external surface of the window.
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	All the proposed habitable rooms have access to a window in an external wall of the building.
55.07-15 – NATURAL VENTILATION OBJECTIVE	
<i>To encourage natural ventilation of dwellings.</i>	
<i>To allow occupants to effectively manage natural ventilation of dwellings.</i>	
Standard B49	<p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p> <p>At least 40 per cent of dwellings should provide effective cross ventilation that has:</p> <ul style="list-style-type: none"> • A maximum breeze path through the dwelling of 18 metres. • A minimum breeze path through the dwelling of 5 metres. • Ventilation openings with approximately the same area. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>
Assessment	Complies with Standard and meets the Objective: <input checked="" type="checkbox"/> Variation from Standard and meets the Objective: <input type="checkbox"/> Variation from Standard and fails to meet the Objective: <input type="checkbox"/>
	The Standard requires 40% of dwellings to achieve the desired breeze path distances, which the proposal achieves. All dwellings will be dual aspect with breeze paths compliant with the requirements of the standard.

55.07-16 – BUILDING ENTRY AND CIRCULATION OBJECTIVES

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B50	<p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable. • Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> • Clearly distinguish entrances to residential and non-residential areas. • Provide windows to building entrances and lift areas. • Provide visible, safe and attractive stairs from the entry level to encourage use by residents. • Provide common areas and corridors that: <ul style="list-style-type: none"> • Include at least one source of natural light and natural ventilation. • Avoid obstruction from building services. • Maintain clear sight lines.
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The pedestrian entrance to the dwellings is proposed from MacArthur Place North and will be visible and easily identifiable. The entrance will provide shelter and a sense of address.</p> <p>There are no non-residential areas within the development. The building and lift area is located within the retained heritage building which restricts installation of windows. Stairs are provided from the building entrance to allow use by residents.</p>

55.07-17 – INTEGRATION WITH THE STREET OBJECTIVE

To integrate the layout of development with the street.

To support development that activates street frontages.

Standard B51	<p>Development should be oriented to front existing and proposed streets.</p> <p>Along street frontages, development should:</p> <ul style="list-style-type: none"> • Incorporate pedestrian entries, windows, balconies or other active spaces. • Limit blank walls. • Limit high front fencing, unless consistent with the existing urban context. • Provide low and visually permeable front fences, where proposed. • Conceal car parking and internal waste collection areas from the street. <p>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The development retains its orientation towards MacArthur Place North. Limited alterations are proposed to the existing front façade. Nevertheless, the front façade incorporates windows and balconies and limits blank walls. High fencing is not proposed. The development will continue to provide passive surveillance to MacArthur Square.</p>

55.07-18 – SITE SERVICES OBJECTIVE

To integrate the layout of development with the street.

To support development that activates street frontages.

Standard B52	<p>Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.</p> <p>Meters and utility services should be designed as an integrated component of the building or landscape.</p> <p>Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>Site facilities for the proposal are adequate and accessible. Letterboxes are suitably sized and have been incorporated into the proposed front fence. Service meters (gas and water etc.) are currently located under the front verandah. It is anticipated these services can similarly be located under the verandah near the entry to the building.</p>
<p>55.07-19 – EXTERNAL WALLS AND MATERIALS OBJECTIVE</p> <p><i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i></p> <p><i>To ensure external walls endure and retain their attractiveness.</i></p>	
Standard B53	<p>External walls should be finished with materials that:</p> <ul style="list-style-type: none"> • Do not easily deteriorate or stain. • Weather well over time. • Are resilient to the wear and tear from their intended use. <p>External wall design should facilitate safe and convenient access for maintenance.</p>
Assessment	<p>Complies with Standard and meets the Objective: <input checked="" type="checkbox"/></p> <p>Variation from Standard and meets the Objective: <input type="checkbox"/></p> <p>Variation from Standard and fails to meet the Objective: <input type="checkbox"/></p> <p>The development proposes a mix of external materials including cement panels and cladding which will wear well over time.</p>