



**YARRA CITY COUNCIL**

**Internal Development Approvals Committee**

**Agenda**

**to be held on Wednesday 11 October 2017 at 6.30pm  
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**Rostered Councillor membership**

Councillor Amanda Stone  
Councillor Jackie Fristacky  
Councillor James Searle (substitute for Cr Chen Yi Mei)

- I. ATTENDANCE**  
Tarquin Leaver (Senior Coordinator Statutory Planning)  
Lara Fiscalini (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)
- II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**
- III. CONFIRMATION OF MINUTES**
- IV. COMMITTEE BUSINESS REPORTS**

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***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## **Guidelines for public participation at Internal Development Approval Committee meetings**

### **POLiCY**

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Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

## 1. Committee business reports

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**1.1      2 Reserve Street Carlton North - Planning Permit Application PLN17/0048 - Development of the land for the construction of one, three-storey dwelling, including part demolition**

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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of a planning permit application submitted for 2 Reserve Street Carlton North, which seeks approval for the development of the site for the construction of one, three-storey dwelling, including part demolition. The report recommends approval, subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Clause 15.01-1 Urban design;
  - (b) Clause 15.3-1 – Heritage conservation;
  - (c) Clause 22.02 – Development guidelines for sites subject to the heritage overlay;
  - (d) Clause 22.07 – Development Abutting Laneways;
  - (e) Clause 32.09 – Neighbourhood Residential Zone (Schedule 1);
  - (f) Clause 43.01 – Heritage overlay;
  - (g) Clause 54 – Rescode; and
  - (h) Clause 52.06 – Car Parking.

### **Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) Clause 54 (Rescode);
  - (b) Heritage; and
  - (c) Objector concerns.

### **Objector Concerns**

4. Eight objections were received to the application, these can be summarised as:
  - (a) Proposed design, including the materials are not appropriate with regards to the existing neighbourhood character.
  - (b) Over development of the site (height, site coverage, lack of setbacks).
  - (c) Amenity impacts (energy efficiency, visual bulk, overshadowing, overlooking, daylight to habitable rooms).
  - (d) Noise from air-conditioning units on the roof.
  - (e) Issues during the construction phase.

### **Conclusion**

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

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**TITLE:                    Senior Statutory Planner**  
**TEL:                      9205 5005**

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**1.1 2 Reserve Street Carlton North - Planning Permit Application PLN17/0048 - Development of the land for the construction of one, three-storey dwelling, including part demolition**

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Trim Record Number: D17/151202

Responsible Officer: Senior Coordinator Statutory Planning

**Proposal:** Development of the land for the construction of one, three-storey dwelling, including part demolition.

**Existing use:** Dwelling

**Applicant:** Craig Guttridge

**Zoning / Overlays:** Neighbourhood Residential Zone (Schedule 1)  
Heritage Overlay (Schedule 326)

**Date of Application:** 25 January 2017

### Planning History

1. Planning Permit PLN10/0623 was issued on 26 September 2011 under the direction of the Victorian Civil and Administrative Tribunal (VCAT) for part demolition and the construction of a new two-storey dwelling on a lot. This permit has since expired as the works have not commenced.

### Background

2. The application was received by Council on 25 January 2017, with additional information received on 27 March 2017 and 09 May 2017. The application was advertised 16 May 2017, with eight (8) objections received.
3. A planning consultation meeting was held on 25 July 2017, attended by the applicant, owners, objectors and Council officers.
4. As a result of concerns raised by the objectors at the consultation meeting, the Applicant provided updated shadow diagrams (9am, 12noon and 3pm) on 31 August 2017.

### Sketch Plans

5. As a result of concerns raised by Council's Planning Officer, Heritage Advisor and Urban Design Department, the Applicant submitted sketch plans (dated 18 September 2017). These plans show the following changes;
  - (a) Setback of the garage at ground floor increased to 2m from the western (front) boundary (previously 1m);
  - (b) Addition of two northern light-courts (3.2m long x 1.2m wide) at both first and second floors adjacent to the existing, south-facing habitable room window of No. 6 Reserve Street (previously a three-storey wall);
  - (c) Addition of a pillar-style letter box within the front setback; at the corner of Reserve and the ROW to the south, including pavers leading to the front pedestrian entrance;
  - (d) Installation of sensor-lighting to the pedestrian entrance;
  - (e) Deletion of a window on boundary at ground floor and addition of skylights, including an additional south-facing window at second floor;
  - (f) Changes to proposed materials;
    - (i) Colorbond interlocking panels (grey) on the front portion of the southern wall at first floor in place of rendered blue board;
    - (ii) Rendered blue-board (Cream) or radial timber battens to the southern and eastern walls at first floor;
  - (g) Internal rearrangements as a result of the addition of light-courts; and

(h) Screening to the air conditioning units on the southern side.

6. The sketch plans, including the updated shadow diagrams were circulated to all objectors prior to the meeting. While not part of the decision plans, these plans will be considered in the report.

#### Amendment VC110

7. Amendment VC110 was gazetted on 27 March 2017, and varies the provisions of the Neighbourhood Residential Zone (NRZ), General Residential Zone (GRZ), Residential Growth Zone (RGZ) and Mixed Use Zone (MUZ). More relevantly to this site which is in a NRZ, the amendment includes the following:
- (a) Removal of the restriction on the number of dwellings that can be built on land;
  - (b) The mandatory maximum height of 9 metres and two-storeys, with potential to exceed this height in particular circumstances; and
  - (c) A mandatory minimum garden area requirement for lots greater than 400sqm and above, ranging from between 25 to 35 percent of lot area.
8. Pursuant to *Clause 32.09-14 (Transitional provisions)* of the Yarra Planning Scheme (the Scheme), the maximum number of storeys, height and minimum garden area requirements of *Clause 32.09-9* introduced by *Amendment VC110* does not apply to:
- (a) A planning permit application for the construction of a dwelling lodged before the approval date of Amendment VC110 (27 March 2017).
9. Whilst the proposed three-storey development exceeds the mandatory number of storeys; i.e. two-storeys, the proposal was lodged prior to 27 March 2017, and therefore, the mandatory storeys requirement does not apply.
10. The proposed three-storey dwelling has a maximum height of 7.97m; which is less than the mandatory maximum height.
11. The subject site is only 180sqm in area; therefore the minimum garden area requirement does not apply.

### **Existing Conditions**

#### Subject Site

12. The subject site is located on the eastern side of Reserve Street, with Curtain Street to the north, Newry Street to the south, Drummond Street to the east and Lygon Street to the west, in Carlton North. The subject site is at the end of Reserve Street; a cul-de-sac style street, intersecting with Curtain Street. The site has a frontage of 7.54m to Reserve Street and a depth of 24.89m, constituting an overall area of approximately 180sqm. The eastern and southern boundaries abut a 1m and 3.1m wide Right-of-Way (ROW), respectively.



Figure 1: Front gate of subject site



Figure 2: Existing building on subject site

13. The site is occupied by a single-storey, brick building constructed along the northern and southern boundaries for a length of 8.9m and 16.45m, respectively and at a height of between 3.3m to 3.6m, and along the full length of the eastern (rear) boundary at a height of 3.6m. The existing building is setback between 8.4m to 15.8m from the western (front) boundary which is occupied by a high metal, inward opening gate and a tin fence. The open area within the front setback is overgrown and the property appears to be unoccupied. Vehicle access into the site is available from Reserve Street.
14. There are no restrictive covenants or easements listed on the title provided.

#### Surrounding Land

15. The surrounding neighbourhood is largely residential, with a mixture of single and double-storey dwellings and an increasing number of contemporary developments. While building types vary substantially within Reserve Street, high site coverage and the construction of walls on boundary are common elements, with the majority of buildings being constructed on or in close proximity to at least one side boundary. A number of these dwellings are setback between 3m to over 6m from the western (front) title boundaries to accommodate either small front gardens or open car parking, accessed from Reserve Street. Areas of secluded private open space (SPOS) are predominantly located to the rear of these dwellings at ground floor.
16. Reserve Street is a two-way street, accessed via Curtain Street to the north, and is approximately 7m wide. On-street car parking is available on both sides of Reserve Street. There are five dwellings on the eastern side and two dwellings on the western side of Reserve Street, with the majority not containing front fencing.
17. Rear fences along the ROWs consist of a variety of fence designs; ranging from timber paling fences to rollers doors, at different heights.



Figure 3: Aerial view of the site - Subject site outlined in red

#### *North*

18. To the north of the subject site is No. 6 Reserve Street, a single-storey, brick dwelling, setback approximately 6.2m from the western (front) title boundary, built to the northern boundary for a length of 12.9m, setback approximately 1.5m from the south (side) boundary and between 5m to 6m from the eastern (rear) boundary. The dwelling contains open space areas in the front and rear of the site.
19. This site was granted a planning permit (PLN15/1061) which was issued under the direction of VCAT on 31 May 2016 for full demolition and construction of a triple-storey dwelling. This planning permit cannot be acted upon yet as plans for endorsement have not been lodged by the Applicant.

The proposed dwelling will consist of a double garage accessed from Reserve Street, entry, lift, laundry, studio, bathroom, bin store, services and rear SPOS at ground floor, a master bedroom (with a west-facing balcony, an ensuite and a walk-in-robe), study, lift and a guestroom (with an ensuite and robe) at first floor, and the second floor consisting of an open planned living/dining/kitchen, including a west-balcony. The dwelling is proposed to be 8m in height and have a flat roof form. The dwelling would be constructed to the northern boundary at all levels, setback 1.47m from the southern boundary, with the exception of a 16.3m long wall at ground floor, and setback between 4.35m to 6.35m from the eastern (rear) boundary. The front setback is 3.1m at all levels. Part of the front boundary is to consist of a 1.8m high, brick fence.

20. Further to the north of No. 6 Reserve is a pair of double-storey townhouses, setback approximately 6.2m from the front title boundary to accommodate car parking, and built to the side boundaries, with SPOS to the rear of these sites.

#### *South*

21. To the south of the subject site, across the ROW are a number of SPOS of single to double-storey dwellings fronting Newry Street (Nos. 102 to 112). A number of the dwellings fronting Newry Street are setback between 3.5m to 7.2m from their northern (rear) boundaries, with some including sheds.

#### *East*

22. To the east of the subject site, across the ROW are a number of SPOS of single to double-storey dwellings fronting Drummond Street. A number of the dwellings are setback between 2.6m to 6.3m from their western (rear) boundaries, with some including sheds and garages.

#### *West*

23. To the west of the subject site, across Reserve Street are single and double-storey dwellings. The streetscape of this section of Reserve Street is varied with front setbacks accommodating car parking or high boundary fencing. To the immediate west is No. 3 Reserve Street, a double-storey, brick dwelling with a single car garage and a pedestrian entry door to Reserve Street.
24. The site is located approximately 550m west of Nicholson Street and over 50m east of Lygon Street which are both identified as Major Road Zones, providing access to public transport routes. The Rathdowne Village Neighbourhood Activity Centre and the Nicholson Village Neighbourhood Activity Centre are located 140m and 550m east of the subject site; respectively, and consists of a mix of shops, business, restaurants and cafes.

## **The Proposal**

25. The proposed dwelling will be triple-storey, with a flat roof form. The materials proposed are a mix of brick, rendered blue-board, Colorbond cladding and timber battens. The dwelling will have a maximum height of 7.97m above natural ground level. Vehicle access to the dwelling is proposed via the existing single crossover from Reserve Street, with the dwelling having two car spaces within the proposed double-car garage at the front. Details of the proposed dwelling are as follows:

#### Demolition

- (a) Full demolition of the existing building and boundary fencing on-site, aside from sections of the existing northern boundary wall (approximately 5m), 5.25m of the southern boundary wall and the full eastern boundary wall, and
- (b) Demolition of the existing front gate.

#### Construction

- (c) Ground floor contains a front verandah, laundry, WC, and an open plan kitchen/meals/living area. To the rear of the site is approximately 37sqm of SPOS, including a 2,000L water-tank. A double-garage is located along the northern boundary. Access for both pedestrians and vehicles is from Reserve Street.
  - (d) First floor will consist of two bedrooms, a television room, bathroom and a master-bedroom with an ensuite. A small east-facing balcony is accessible from the master-bedroom, with the first floor cantilevering 0.6m over the SPOS at ground floor. Two air-conditioning units are provided on the southern roof form.
  - (e) Second floor will consist of a bedroom, bathroom and an office.
26. The dwelling is constructed to the northern boundary at all levels, with varied wall lengths of 22.68m, 15.81m, and 10.99 at ground, first and second floor, respectively and is setback between 4.41m to 5.25m from the eastern (rear) boundary. The dwelling is generally setback between 1m to 3.44m from the southern boundary, with the exception of 15.37m and 4.24m long walls built along this boundary at ground and first floors, respectively. The front setback is 1m at ground floor, increasing to 8.29m at second floor.
27. The dwelling has a maximum height of 7.97m and is constructed in a contemporary flat roofed style, utilising a combination of recycled brick, timber battens, concrete blocks (grey) and cement sheeting (grey).

## **Planning Scheme Provisions**

### Zoning

#### *Clause 32.09 Neighbourhood Residential Zone (Schedule 1)*

28. Pursuant to *Clause 32.09-4* of the Scheme, a planning permit is required to construct one dwelling on a lot less than 500sqm. As the subject site is approximately 180sqm, a planning permit is required. A development must meet the requirements of Clause 54.
29. Pursuant to *Clause 32.09-9* of the Scheme, the maximum height of a building used for the purpose of a dwelling must not exceed the 9m height.

### Overlays

#### *Heritage Overlay (Schedule 326 – North Carlton Precinct)*

30. Pursuant to *Clause 43.01-1* of the Scheme, a planning permit is required to demolish a building and construct a building or construct or carry out works.

### Particular Provisions

#### *Clause 52.06 Car parking*

31. Pursuant to *Clause 52.06-2* of the Scheme, *before the floor area or site area of an existing use is increased*, the number of car parking spaces required under *Clause 52.06-5* must be provided to the satisfaction of the responsible authority on the land; or in accordance with a permit issued under *Clause 52.06-3*.
32. The Car Parking Table at *Clause 52.06-5* of the Scheme specifies a rate of 2 car spaces to each 3 or more bedroom dwelling.
33. As two car spaces are to be provided for the new four-bedroom dwelling, a reduction of car parking is not required.

#### *Clause 54 One Dwelling on a lot*

34. Pursuant to *Clause 54* of the Scheme the provisions apply for the construction of a dwelling on a lot in a Neighbourhood Residential Zone.

### General Provisions

#### *Clause 65 Decision guidelines*

35. The decision guidelines outlined at *Clause 65* of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision.

### State Planning Policy Framework (SPPF)

#### *Clause 15.01-1 Urban design*

36. The objective of this clause is:
- (a) *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

#### *Clause 15.01-2 Urban design principles*

37. The objective of this clause is:
- (a) *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

#### *Clause 15.01-4 – Design for safety*

38. The objective of this clause is:
- (a) *To improve community safety and encourage neighbourhood design that makes people feel safe.*

#### *Clause 15.01-5 Cultural identity and neighbourhood character*

39. The objective of this clause is:
- (a) *To recognise and protect cultural identity, neighbourhood character and sense of place.*

#### *Clause 15.02-1 Energy and resource efficiency*

40. The objective of this clause is:
- (a) *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

#### *Clause 15.03 Heritage*

41. The objective of this clause is:
- (a) *To ensure the conservation of places of heritage significance.*

#### *Clause 16.01-1 – Integrated housing*

42. The objective of this clause is:

- (a) *To promote a housing market that meets community needs.*

*Clause 16.01-4 – Housing diversity*

43. The objective of this clause is:

- (a) *To provide for a range of housing types to meet increasingly diverse needs.*

*Clause 18.02-1 – Sustainable personal transport*

44. The objective of this clause is:

- (a) *To promote the use of sustainable personal transport.*

*Clause 18.02-5 – Car parking*

45. The objective of this clause is:

- (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

Local Planning Policy Framework (LPPF)

*Clause 21 – Municipal Strategic Statement (MSS)*

46. The MSS provides a broad demographic summary of the municipality and is structured into 4 main themes; land use, built form, transport and sustainability.

47. In relation to housing, Yarra has a higher percentage of flats and units and the MSS acknowledges that demand for inner-city living is high. An increased proportion of new housing development is to be encouraged on strategic redevelopment sites and in areas that are well located, close to public transport and activity centres.

*Clause 21.04 – Land use*

*Clause 21.04-1 – Accommodation and Housing*

48. The relevant objectives and strategies of this clause are:

- (a) *Objective 1 To accommodate forecast increases in population.*

- (i) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08;*  
(ii) *Strategy 1.3 Support residual population increases in established neighbourhoods;*

*Clause 21.05 – Built form*

*Clause 21.05-1 Heritage*

49. The objective of this clause is:

- (a) *Objective 14 – To protect and enhance Yarra's heritage places;*

50. The relevant strategies supporting this objective, specific to this proposal, are:

- (i) *Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*  
(ii) *Apply the Development Guidelines for Heritage Places policy at clause 22.02.*

*Clause 21.05-2 Urban Design*



51. The relevant objectives and strategies of this clause are:

- (a) *Objective 16 - To reinforce the existing urban framework of Yarra.*
  - (i) *Strategy 16.2 Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*
- (b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
  - (i) *Strategy 17.1 Ensure that development outside activity centres and not on Strategic Redevelopment Sites reflects the prevailing low-rise urban form.*
- (c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern.*
  - (i) *Strategy 18.1 Encourage the re-establishment of streets and laneways through new development sites where such links were part of the historic street pattern, except where this will cause detrimental traffic impacts.*
  - (ii) *Strategy 18.2 Enhance the amenity of laneways by applying the Development Abutting Laneway policy at Clause 22.07.*
- (d) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.*
  - (i) *Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*
  - (ii) *Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- (e) *Objective 22 - To encourage the provision of universal access in new development.*
  - (i) *Strategy 22.1 Encourage applicants to take into account the access needs of all people in the design of new buildings.*

*Clause 21.05-3 Built Form Character*

52. The relevant objectives and strategies of this clause are:

- (a) *Objective 23 To maintain and strengthen the identified character of each type of identified built form within Yarra.*
  - (i) *Strategy 23.1 Require applicants for planning permits to identify the Built Form Character Types in which the subject site is located by reference to Maps in clause 21.08 Neighbourhoods and to identify how the proposed development responds to the Built Form Character Type.*

*Clause 21.06 Transport*

53. The relevant objectives and strategies of this clause are:

- (a) *Objective 30 To provide safe and convenient pedestrian and bicycle environments.*
  - (i) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
  - (ii) *Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.*

*Clause 21.07 Environmental Sustainability*

54. The relevant objective and strategies of this clause are:

- (a) *Objective 34 To promote ecologically sustainable development.*
  - (i) *Strategy 34.1 Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.*

*Clause 21.08-3 North Carlton – Princes Hill*

- 55. The neighbourhood character statement for this area states:
  - (a) *This residential neighbourhood is noted for the consistency of its spacious brick or render late Victorian and Edwardian streetscapes and for its consistent residential character.*
- 56. The map at Figure 10: Built-form character Map: Carlton North/ Princes Hill shows that the subject site is located in a 'Heritage Overlay' area. The strategy for this area is:
  - (a) *Ensure that development does not adversely affect the significance of the heritage place.*

Relevant Local Policies

*Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay*

- 57. *Clause 22.02 of the Scheme applies to all development where a planning permit is required under the Heritage Overlay. The objectives of the policy include:*
  - (a) *to conserve Yarra's natural and cultural heritage;*
  - (b) *to conserve the historic fabric and maintain the integrity of places of cultural heritage significance;*
  - (c) *to retain significant view lines to, and vistas of, heritage places;*
  - (d) *to preserve the scale and pattern of streetscapes in heritage places;*
  - (e) *to ensure that additions and new works to a heritage place respect the significance of the place;*
  - (f) *to encourage the retention of 'individually significant' and 'contributory' heritage places; and*
- 58. *Clause 22.02-5.1 generally encourages the retention of a building in a heritage place, unless the building is identified as being not-contributory.*

*Removal of Part of a Heritage Place or Contributory Elements*

- (a) *Encourage the removal of inappropriate alterations, additions and works that detract from the cultural significance of the place.*

- 59. *Clause 22.02-5.7 New Development, Alterations or Additions*

The relevant policies of *Clause 22.02-5.7.1* encourages the design of new development to a heritage place or a contributory element to a heritage place to:

- (a) *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- (b) *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- (c) *Be visually recessive and not dominate the heritage place.*
- (d) *Be distinguishable from the original historic fabric.*
- (e) *Not remove, cover, damage or change original historic fabric.*

- (f) *Not obscure views of principle façades.*
- (g) *Consider the architectural integrity and context of the heritage place or contributory element.*

60. This policy refers to an incorporated document (City of Yarra Review of Heritage Overlay Areas 2007), which identifies the level of significance for all buildings/sites within the Heritage Overlay. Specifically, the subject site is nominated as 'not-contributory' to the North Carlton Precinct.

*Clause 22.07 Development Abutting Laneways*

61. The objectives of this clause are:

- (a) *To provide an environment which has a feeling of safety for users of the laneway.*
- (b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*
- (c) *To ensure that where development is accessed off a laneway, all services can be provided to the development.*
- (d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

*Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)*

62. This policy applies to applications for new buildings and recognises that increased development can result in greater hard surface area and changes to the volume, velocity and quality of stormwater drainage into natural waterways. The relevant objectives of this Clause are as follows:

- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*
- (b) *To promote the use of water sensitive urban design, including stormwater re-use.*
- (c) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*
- (d) *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*
- (e) *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well-being.*

63. The ground floor plan indicates that there will be a 2,000L, slim-line rain-water tank installed for sanitary purposes. The STORM report provided confirms this with a STORM rating of 120%, which exceeds Council's best practice.

**Advertising**

64. The application was originally advertised in accordance with Section 52 of the Act by way of 26 letters sent to surrounding property owners and occupiers and the display of two signs; one on the Reserve Street frontage and another on the rear ROW.

65. Council received a total of eight objections. The grounds of objection are summarised as follows:

- (a) Proposed design, including the materials are not appropriate with regards to the existing neighbourhood character.
- (b) Over development of the site (height, site coverage, lack of setbacks).

- (c) Amenity impacts (energy efficiency, visual bulk, overshadowing, overlooking, daylight to habitable rooms).
  - (d) Noise from air-conditioning units on the roof.
  - (e) Issues during the construction phase.
66. The sketch plans lodged on 18 September 2017 were not advertised; however the plans were circulated to the objectors.
67. These issues will be discussed later within this report.

## Referrals

### External

68. The application does not trigger any referrals to external authorities under the requirements of the Scheme.

### Internal

69. The application was referred to Council's Engineering Department, Urban Design Unit, and Heritage. The comments are located in the Appendix to this report.

## OFFICER ASSESSMENT

70. The key planning considerations for Council in considering the proposal are:

- (a) Clause 54 (Rescode);
- (b) Heritage;
- (c) Vehicle access;
- (d) Development abutting a laneway; and
- (e) Objector concerns.

### Clause 54 – Rescode

71. The following is a detailed assessment of the proposal against the relevant provisions of ResCode (*Clause 54*).
72. This particular provision comprises of 19 design objectives and standards to guide the assessment of new residential development. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test.

#### *A1 – Neighbourhood character objective*

73. The site is in a unique context, being at the very end of a cul-de-sac style street. The immediate streetscape character is diverse, with a variety of dwelling designs, varying in height and setbacks. There are examples of contemporary dwellings, with the majority of these dwellings providing car parking within the front setback, with access from Reserve Street.
74. The proposed design responds to the existing neighbourhood character of the surrounding area, which includes double-storey dwellings located on either side of Reserve Street. The contemporary design with a flat roof form, use of both traditional and contemporary materials such as recycled brick, timber cladding and the inclusion of horizontal window proportions present visual interest to the streetscape, as well as, compliment the mixture of building styles and materials found within the surrounding and the emerging housing stock, such as the triple-storey dwelling approved to the north of the site at No. 6 Reserve Street. Therefore, the proposed dwelling will not appear out of context.

75. Overall, the proposal is a site and neighbourhood responsive design response, meeting the objective of the Standard.
- A2 – Integration with the street objective*
76. The proposed dwelling will continue to be orientated to Reserve Street, and with no front fencing proposed, the dwelling will positively integrate with the street and promote passive surveillance. This is further enhanced through the provisions of large habitable room windows at the first and second floor, and would be a significant improvement on the existing conditions.
77. Under the advertised plans, the proposed front door is not highly visible from the street, with the garage sitting forward of it. However, the pedestrian entrance will consist of a 2.4m high verandah which will assist in marking the pedestrian entrance. Whilst the presence of a double garage at ground floor is not an ideal street interface, the proposed design and material of the garage door is of high quality; i.e. timber cladding. In addition, the sketch plans show the provision of a mail-box within the front setback and pavers leading to the front pedestrian entrance which would further enhance the interface with the street. Therefore, subject to the changes shown on the sketch plans, the ground floor presentation would be acceptable within this mixed streetscape. Furthermore, garage doors and car parking within front setbacks already exist along Reserve Street and therefore the proposal would not introduce an uncommon element.
78. In addition it is important to note that, as an existing crossover is to be used to enter the site from Reserve Street, there will be no impact on existing on-street car parking.
79. Similar to existing dwellings along Reserve Street, minimal landscaping is proposed within the front setback with the advertised plans showing the proposed treatment for the surfaces as being permeable. The sketch plans provide further detailing of this material; i.e. permeable cobble stone paving.
80. Whilst the proposed three-storey dwelling is considered to be generally consistent with the existing pattern of surrounding development, providing a single-storey transition in height with the existing double-storey dwellings along Reserve Street and having a similar height as the approved triple-storey development at No. 6 Reserve Street, the front setback of the proposed ground floor is considered to be out of character and will be discussed under Standard A3 – Street Setback.
- A3 – Street setback objective*
81. The proposed design at ground floor in its current form is considered dominating, with the garage protruding further forwards of the neighbouring sites to the north. The majority of the front setbacks along Reserve Street range between 3m to over 6m, with the dwellings fronting Curtain Street being built along the Reserve Street boundary.
82. Council's Urban Design Unit has reiterated this concern stating:
- ...the proposed garage at ground floor is dominating and is a poor streetscape fit and should either be removed or be replaced with open space or car parking are similar to that of No. 10 Reserve Street.*
83. However, this recommendation is not warranted considering that the existing street does not possess a strong, consistent built form character and the subject site is at the end of the street, and as such will not have the same visual impact as other dwellings along Reserve Street. However, with an increase in the front setback to the ground floor, the garage would become a less dominating element, which is considered to be generally consistent the neighbouring sites. To this effect, the additional 1m (total 2m) setback to the garage from Reserve Street shown in the sketch plans is considered sufficient in reducing the dominance of the garage.
84. The proposed setback of the first and second floors; 4.3m and 8.29m, respectively, from the front boundary complies with Standard A3 - Street Setback of the Scheme.

*A4 – Building height objective*

85. The proposed maximum building height is 7.97m above natural ground level, thereby achieving compliance with the maximum 9m specified under the Standard.

*A5 – Site coverage objective*

86. This Standard states that the site area covered by buildings should not exceed 60%. The proposed increase in site coverage from 46% to 77% exceeds the requirement of the Standard (including the area allocated for the rainwater tank). However, the design response is considered reasonable in the context of the site in an inner-urban environment, and the established neighbourhood character which is characterised by high site coverage and small open space areas. In particular, similar degrees of site coverage are found within the adjacent sites to the north, at Nos. 8 to 12 Reserve Street.

87. However, as a result of the increase in the front setback (as per the sketch plans), the overall site coverage will be reduced by an additional 6sqm; bringing down the overall site coverage to 74%.

*A6 – Permeability objectives*

88. The standard requires a minimum of 20% permeable surfaces on site. Given that the site has not been substantially developed, currently, there appears to be permeable surfaces located within the majority of the front setback and consist of approximately 97sqm or 53% of the overall site. The proposal will result in a total of a 40sqm of permeable surfaces within the front and rear setbacks, and as such 22% of permeable surfaces will be retained on the subject site, which meets the standard. In addition, as a result of the proposed rainwater tank, the site will have a STORM water rating of 120%; further increasing the capacity of the drainage network to accommodate additional stormwater.

89. However, as a result of the increase in the front setback (as per the sketch plans), the overall permeability will be increased by an additional 6sqm; increasing the overall permeability of the site to 25%.

*A7 – Energy efficiency protection objectives*

90. The proposed development will have a good level of energy efficiency given:
- (a) The proposal incorporates an area of private open space at the rear of the dwelling which will gain access to direct sunlight throughout the day, and is located directly off the main living room, thereby achieving good solar access and reducing the reliance on artificial lighting;
  - (b) Cross-ventilation opportunities will be provided via the operable windows on the first and second floors;
  - (c) The first floor at the rear cantilevers over the ground floor, and would protect living room windows from the eastern sun;
  - (d) A slim-line 2,000 litre rainwater tank is proposed for the new dwelling;
  - (e) The addition of two north-facing light-courts at both first and second floors as per the sketch plans, including skylights will reduce the reliance on artificial lighting; and
  - (f) The majority of the built form of the proposed dwelling at first and second floors will be setback from sensitive interfaces such as SPOS and habitable room windows. Therefore, not unreasonably impacting daylight or solar access to adjoining properties. This will be discussed in detail in other sections of the Rescode assessment.

91. Overall, the proposed development is considered to achieve an appropriate design response with regard to energy efficiency objectives.

*A8 – Significant trees objective*

92. No tree removal has been proposed under this application.

*A10 – Side and rear setbacks objective*

93. The proposal incorporates built form which will be setback from the southern (side) and eastern (rear) title boundaries. The following table compares the proposed building setbacks with those required by the standard.

Wall location	Wall height	Setback required	Setback provided	Complies?
<u>Southern wall</u>				
Ground floor	3m	1m	1.5m	Yes
First floor	6.21m	1.78m	1m	No
Second floor	7.83m	2.92m	3.44m	Yes
<u>Eastern wall</u>				
Ground floor	3m	1m	5m	Yes
First floor	5.44m	1.55m	4.4m	Yes
Second floor	7.97m	3.06m	5.25m	Yes

94. As demonstrated above, whilst the proposed eastern (rear) wall at ground, first and second floors, and the southern (side) walls at both ground and second floors meet the setback requirements set by the Standard, the setbacks of the proposed first floor addition from the southern boundary does not meet the standard.

#### *Southern setback*

95. The proposed southern wall at first floor associated with Bedroom 3, a section of the wall associated with the television room and the master bedroom will be constructed at a height of 6.21m above natural ground level and will be setback 1m from the southern boundary. Currently, the southern boundary abuts a 1m wide ROW, followed by the SPOS of Nos. 102 to 110 Newry Street. The proposed first floor setback does not meet the standard's requirement by 0.78m.
96. *Clause 54.01-4 of the Scheme states 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.* As such, the setback of the wall at first floor, combined with the width of the existing ROW (1m) and the use of a number of different materials (existing brick and light-grey cement sheeting), including the addition of windows would provide an appropriate level of articulation to reduce visual bulk impacts when viewed from the SPOS of the dwellings to the south, across the ROW. In addition, the variation of 78cm is acceptable as the visual impact of this wall at first floor will be broken down by the existing 3m to 3.4m high southern boundary wall of the subject site.
97. Therefore this proposal will not cause any unreasonable off-site, visual bulk impacts when viewed from the SPOS of the dwellings to the south.

#### *A11 – Walls on boundaries objective*

98. To comply with this standard, any new wall constructed along the northern and southern boundaries should not exceed 13.72m in length and 9.38m for the eastern boundary. The standard also notes that the average wall height should not exceed 3m with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall.

#### *Northern boundary*

99. As highlighted earlier No. 6 Reserve Street has planning approval for a three-storey dwelling. The following assessment will consider both the existing and approved conditions.

#### *Existing conditions*

100. Currently, the existing wall along the northern boundary is 8.9m in length and varies in height between 3m to 3.6m, which meets the allowable length and height set by the Standard. However, whilst the demolition plan shows the height of this existing wall as being between 3m to 3.6m, the proposed elevations show the height of the existing wall as 3.3m.

A condition will require the exact height to be clarified on both plans. The northern boundary currently abuts a 1.5m wide, south-facing walkway of No. 6 Reserve Street, including a 3.5m wide habitable room window (appears to be a living-room) followed by SPOS. A condition will require this window to be shown on all plans.

101. The proposal incorporates demolishing a section of this northern wall at ground floor and extending it further west, with the new wall consisting of an overall length of 23.68m, 15.21m and 10.99m at ground, first and second floors, respectively. Given the overall length and triple-storey height of the proposed northern wall, the proposed development does not meet the requirements set by the Standard.
102. Whilst the proposed ground floor wall, at a height of between 3.09m to 3.3m meets the maximum height set by the Standard, the overall length of 23.68m does not. The majority of this new wall will be adjacent to the 1.5m wide walkway of the site to the north, with the existing 5m long x 3.3m high wall being adjacent to the SPOS of the site to the north. However, the existing conditions are similar to that of the proposed; where there is an existing timber-paling fence followed by a 3m to 3.3m high brick boundary wall between the subject site and No. 6 Reserve Street. Therefore, the proposed northern wall along the boundary at ground floor is acceptable. In addition, as a result of the sketch plans lodged, which shows the increased setback of the garage at ground floor, the overall length of this wall will be reduced to 22.68m. Any impacts to the existing south-facing window at ground floor will be discussed later in the report, under Standard A12 Daylight to existing windows objective.
103. Similar to the ground floor, the majority of the first and second floor walls will be adjacent to the southern walkway of No. 6 Reserve Street, with only 1.3m and 1.1m of the first and second floor walls, respectively, being adjacent to the SPOS of the existing dwelling to the north. The additional 1.3m double-storey and 1.1m triple-storey wall lengths adjacent to the existing SPOS to the north are acceptable as this SPOS will continue to have outlook to the north as it abuts existing SPOS of dwellings further north of the site, as well as a laneway to the east. Therefore, this SPOS will not appear closed in.

*Approved conditions (Planning Permit PLN15/1061)*

104. Under the approved conditions, No. 6 Reserve Street incorporates a 16.3m long x 2.9m high wall along its southern boundary, with the remainder consisting of the existing northern brick wall of the subject site. SPOS of this proposed dwelling will be located within the eastern (rear) setback. As the proposed ground floor wall along the northern boundary of No. 2 Reserve Street will abut this proposed wall, a variation to the length set by the Standard is acceptable.
105. No. 6 Reserve Street incorporates a 1.47m setback from its southern boundary at first and second floors. A number of south-facing windows will be located at both these floors and any impacts to these windows will be discussed later in the report.  
Whilst a double-storey wall has been proposed at first floor on the subject site, it will be setback 4.41 from the eastern (rear) boundary, with the proposed dwelling at No. 6 Reserve having a lesser setback of 4.3m from its rear boundary. As such, this double-storey wall at No. 2 Reserve Street will not be adjacent to the SPOS of the proposed dwelling to the north.
106. Whilst a triple-storey wall has been proposed at second floor on the subject site, it will be setback 5.25m from the rear boundary. The decision plans for No. 6 Reserve Street show a setback of 4.37m of their third-storey from the rear boundary. However, a condition on the Planning Permit PLN15/1061 has required this floor to be setback an additional 2m, increasing the overall setback to 6.37 from the rear boundary. As such, 1.12m of the proposed third floor of No. 2 Reserve Street will be visible from the proposed SPOS of the dwelling to the north. However, this is acceptable as the visual impact of this wall at second floor will be broken down by the existing 3.3m high northern boundary wall of the subject site, including the use of recessive colours such as light-grey for the proposed triple-storey wall.



107. Council's Urban Design Unit has also commented that if the development at No. 6 Reserve Street does not proceed, the proposed triple-storey high northern wall of the subject site *would be highly visible above the existing single-storey neighbour*. It is considered that the two light-courts and windows shown on the sketch plans adequately address this issue. These changes assist in breaking down the visual impact and dominance of this triple-storey wall when viewed from Reserve Street.

*Southern boundary*

108. Currently there is a 16.45m long wall running along the southern boundary at a height of between 3m to 3.6m. As such, the length of the existing wall along the southern boundary does not meet the length set by the Standard. Similar to the existing northern wall, a condition will require the exact height of this wall to be annotated on the plans.
109. The proposal incorporates demolishing a section of the ground floor wall and extending to a total length of 20.37m, at a varied height between 3.09m to 3.6m. Whilst the height meets the Standard, the length does not. This is acceptable as the southern boundary abuts a 1m wide laneway, followed by 2.1m to 2.3m high boundary fences of the dwellings fronting Newry Street. In addition, the proposed changes along the southern boundary at ground floor are similar to that of the existing conditions.
110. At first floor, the proposed southern dwelling wall, associated with the stairs will be built along the southern boundary for a length of 4.24m at a height of 5.15m. This too is considered acceptable as it will be located adjacent to the 1m wide ROW, followed by fencing which are over 2m in height. Given that the majority of this boundary wall at first floor will consist of vertical windows, the overall visual impact of this wall, when viewed from the SPOS of Nos. 106 and 104 Newry Street will be reduced.
111. Based on the above; the location, lengths, heights of these walls, combined with the condition to increase the setback of the garage at ground floor and inclusion of two, north-facing light-courts at first and second floors as per the sketch plans, the proposal will meet the objectives of the standard.

*Eastern wall*

112. Currently there is an existing 7.54m long x 3.6m high boundary wall along the full length of the eastern boundary. The proposal will continue to maintain this existing wall, with no changes to it. However, Council's Urban Design Unit have suggested that the height of this wall to be reduced to a more typical fence height, in order to facilitate some passive surveillance of the lane from upper level windows. However, this change is not warranted as it is an existing condition that the Applicant has not proposed to alter.

*A12 – Daylight to existing windows objective*

113. Standard A12 requires a light-court to be provided with a minimum area of 3sqm and a minimum dimension of 1m clear to the sky. The dwelling to the north has one window under existing conditions and a number of windows under the proposed conditions under Planning Permit PLN15/1061, and as such, both these conditions will be discussed separately.

*Existing conditions*

114. There is one, south-facing habitable room window at ground floor of No. 6 Reserve Street within 3m of the subject site.
115. Given that this window is already setback 1.5m from its southern boundary, the setback requirements between this window and the proposed ground floor dwelling wall at No. 2 Reserve Street meets the requirements under this Standard.
116. However, at both first and second floors, a light-court of approximately 3.5m long x 1.2m and 2.48m wide; respectively, is required to be provided between the proposed dwelling wall and this window. Neither of these requirements have been provided.

117. As such, Officers raised concerns with the proposed triple-storey wall which has been proposed adjacent to this south-facing, habitable room window at ground floor. In response, the Applicant lodged sketch plans showing a 3.2m long x 1.2m wide light-court, adjacent to this window at both first and second floors. Whilst these light-courts fall short of the requirements set by the Standard, the proposed changes are a better outcome than what had been originally proposed. In addition, the required length of 3.5m is not met by 0.3m at first floor. Nevertheless, this difference of 30cm will not be discernible, with the existing south-facing window continuing to receive adequate daylight access compared to not receiving any daylight at all as a result of the proposed triple-storey wall on boundary. In addition, the proposed light grey render to this interface would also offer reflective light and assist in daylight access.

*Approved conditions*

118. Under the proposed conditions at No. 6 Reserve Street, there will be a number of windows at ground, first and second floors.
119. The ground floor of No. 6 Reserve Street will consist of non-habitable room windows such as the entry, as well as boundary walls. Therefore, there is no impact on the proposed ground floor from the proposed dwelling at No. 2 Reserve Street.
120. The proposed dwelling at No. 6 Reserve Street will have one, south-facing habitable room window (associated with the study) at first floor. Whilst this window will be impacted by the proposed third-storey of No. 2 Reserve Street, this room will have an alternate light source from the north-facing light-courts proposed at No. 6 Reserve Street.
121. Similar to the first floor, the proposed dwelling at No. 6 Reserve Street will have two, south-facing habitable room window (associated with the open plan living/dining/kitchen area) at second floor. Given that these windows will be setback 1.47m from its southern boundary; these windows will continue to receive a minimum of over 6sqm and a minimum dimension of 1m clear to the sky. In addition, these rooms will have an alternate light source from the north-facing light-courts proposed at No. 6 Reserve Street.
122. Overall, it is considered that the proposed development has been sited and designed to ensure that these existing and proposed habitable room windows of the dwellings to the north will continue to receive an adequate level of daylight access.

*A13 – North-facing windows objective*

123. There are no north-facing habitable room windows within 3m of the subject site.

*A14 – Overshadowing open space objective*

124. The proposed development will not result in overshadowing to dwellings to the east. However, the proposed development would result in additional overshadowing to the POS areas of neighbouring lots to the south at the September Equinox. The following tables compare the shadows cast from existing built form and proposed built form on the existing SPOS, including the square-meter increase in shadows. The table also illustrates how much of the SPOS will remain unshadowed as a result of the existing and proposed conditions.

*No. 110 Newry Street*

125. This dwelling consists of 35sqm of SPOS located within their southern (rear) setback.

Time	Shadowed (Existing) SPOS	Unshadowed Area (Existing) SPOS	Shadowed (Proposed) SPOS	Unshadowed (Proposed) SPOS	Increase in Overall Shadows
9am	34.6sqm	0.4sqm	35sqm	0sqm	0.4sqm
10am	32sqm	3sqm	32.9sqm	2.1sqm	0.9sqm
11am	26.2sqm	8.8sqm	27.7sqm	7.3sqm	1.5sqm
12 pm	10sqm	25sqm	Not impacted	Not impacted	No change

<b>2pm</b>	27sqm	8sqm	Not impacted	Not impacted	No change
<b>3pm</b>	35sqm	0sqm	Not impacted	Not impacted	No change

126. As illustrated above, the SPOS of No. 110 Newry Street is most impacted between 9am to 11am. However, after 12noon, this SPOS will no longer be impacted by the proposed dwelling at No. 2 Reserve Street. The additional shadowing is not considered unreasonable given the limited timeframe during the morning in which the impact would occur.

*No. 108 Newry Street*

127. This dwelling consists of 45sqm of SPOS located within their southern (rear) setback.

<b>Time</b>	<b>Shadowed (Existing) SPOS</b>	<b>Unshadowed Area (Existing) SPOS</b>	<b>Shadowed (Proposed) SPOS</b>	<b>Unshadowed (Proposed) SPOS</b>	<b>Increase in Overall Shadows</b>
<b>9am</b>	38.9sqm	6.1sqm	41.6sqm	3.4sqm	2.7sqm
<b>10am</b>	32sqm	13sqm	33.7sqm	11.3sqm	1.7sqm
<b>11am</b>	27.4sqm	17.6sqm	28.8sqm	16.2sqm	1.4sqm
<b>12 pm</b>	13.4sqm	31.6sqm	17.9sqm	27.1sqm	4.5sqm
<b>2pm</b>	30.4sqm	14.6sqm	31.5sqm	13.5sqm	1.1sqm
<b>3pm</b>	Existing conditions	Existing conditions	Not impacted	Not impacted	No change

128. As illustrated above, the SPOS of No. 108 Newry Street is impacted mostly at 9am and 12noon. Only marginal increases in overshadowing will be experienced at all other times. By 3pm, this SPOS will no longer be impacted. The additional shadowing is not considered unreasonable given the limited 1 hour timeframes at 9am and 12noon in which the impact would occur. The additional shadowing is considered acceptable in this particular instance with the morning shadows not significantly altering the use of the neighbouring POS areas which is already affected by shadows cast under the existing conditions.

*No. 106 Newry Street*

129. This dwelling consists of 24sqm of SPOS located within their southern (rear) setback.

<b>Time</b>	<b>Shadowed (Existing) SPOS</b>	<b>Unshadowed Area (Existing) SPOS</b>	<b>Shadowed (Proposed) SPOS</b>	<b>Unshadowed (Proposed) SPOS</b>	<b>Increase in Overall Shadows</b>
<b>9am</b>	18.4sqm	5.6sqm	22.3sqm	1.7sqm	3.9sqm
<b>10am</b>	15.2sqm	8.8sqm	16.6sqm	7.4sqm	1.4sqm
<b>11am</b>	12.6sqm	11.4sqm	14.2sqm	9.8sqm	1.6sqm
<b>12 pm</b>	10.4sqm	13.6sqm	12.3sqm	11.7sqm	1.9sqm
<b>2pm</b>	15.4sqm	8.6sqm	18sqm	6sqm	2.6sqm
<b>3pm</b>	Existing conditions	Existing conditions	Not impacted	Not impacted	No change

As illustrated above, the SPOS of No. 106 Newry Street is impacted mostly at 9am and again at 2pm. Only marginal increases in overshadowing will be experienced at all other times. Whilst this site would be the most impacted as a result of the proposed development, this site is already overshadowed by existing built form; most notably the 3m to 3.3m/3.6m high southern boundary wall of the subject site, and the 2.5m high timber paling fences of this site. However, the shadows cast between 10am and 12noon will not significantly alter the use of this POS.

*No. 104 Newry Street*

130. This dwelling consists of 23sqm of SPOS located within their southern (rear) setback.

Time	Shadowed (Existing) SPOS	Unshadowed Area (Existing) SPOS	Shadowed (Proposed) SPOS	Unshadowed (Proposed) SPOS	Increase in Overall Shadows
9am	18.7sqm	4.3sqm	19.6sqm	3.4sqm	0.9sqm
10am	17.5sqm	5.5sqm	17.9sqm	5.1sqm	0.4sqm
11am	13sqm	10sqm	14.7sqm	8.3sqm	1.7sqm
12 pm	8.4sqm	14.6sqm	11.7sqm	11.3sqm	3.3sqm
2pm	10.9sqm	12.1sqm	14.7sqm	8.3sqm	3.8sqm
3pm	Existing conditions	Existing conditions	Not impacted	Not impacted	No change

131. As illustrated above, the SPOS of No. 104 Newry Street is most impacted between 12noon to 2pm. During the morning hours, this SPOS will be impacted marginally by the proposed dwelling at No. 2 Reserve Street. Therefore, given the limited timeframe during the afternoon, the extent of shadows is acceptable.

*No. 102 Newry Street*

132. This dwelling consists of 31sqm of SPOS located within their southern (rear) setback.

Time	Shadowed (Existing) SPOS	Unshadowed Area (Existing) SPOS	Shadowed (Proposed) SPOS	Unshadowed (Proposed) SPOS	Increase in Overall Shadows
9am	21.2sqm	9.8sqm	Not impacted	Not impacted	No change
10am	18.3sqm	12.7sqm	Not impacted	Not impacted	No change
11am	15sqm	16sqm	Not impacted	Not impacted	No change
12 pm	12.5sqm	18.5sqm	Not impacted	Not impacted	No change
2pm	15.4sqm	15.6sqm	18sqm	13sqm	2.6sqm
3pm	Existing conditions	Existing conditions	Not impacted	Not impacted	No change

133. As shown above, the SPOS of No. 102 Newry Street is the least impacted by the proposed triple-storey development. This SPOS is mostly impacted at 2pm. Given the one hour, limited time frame during the afternoon, the extent of shadows cast on this SPOS is acceptable.
134. By 3pm the proposed development would not cast any additional shadowing to the POS to the south, with any additional shadowing being cast over existing built form and the 3.1m wide laneway to the east.
135. Given the narrow lot sizes, high built form in the area and the site's orientation; it is common to see some level of increased overshadowing. The impact of the additional overshadowing on the SPOS of the adjacent dwellings to the south is not unreasonable, and will continue to allow solar access, generally in accordance with the objective. The design which has set the southern walls away from the boundary at first (aside from the staircase) and second floors minimises the impacts to neighbouring lots, meeting the objective of the Standard.

*A15 – Overlooking objective*

136. The standard states that a habitable room window should be located and designed to avoid direct views into the SPOS of an existing dwelling (or a habitable room window) within a horizontal distance of 9 metres (measured at ground level) of the window. Views should be measured within a 45 degree angle from the plane of the window and from a height of 1.7m above floor level. If there is overlooking, windows need to be screened.

*Ground floor*

137. Overlooking opportunities at ground level would be suitably limited by existing and proposed boundary walls that are over 3m in height (and given that floor levels are less than 800mm above natural ground).

138. In addition, the highlight window on the southern boundary at ground floor has been deleted as part of the sketch plans.

*First floor*

139. The west-facing bedrooms windows at first floor do not require screening as they overlook Reserve Street and front yards (which are not SPOS) within the 9m overlooking arc.
140. The proposed first floor plan shows a highlight, south-facing window to the television room; however the corresponding elevation does not show this window. However, the sectional drawing lodged as part of the sketch plans show this window at first floor (to the family room) as appearing to have a sill height of up to 1.7m above floor level. A condition will require this to be clarified given the potential for overlooking opportunities from this window to the POS of the dwellings to the south.
141. Whilst technically the windows of the staircase leading to the television room do not require screening as it is not a habitable room window, there is potential for overlooking from the television room through these windows, into the POS of Nos. 102 to 108 Newry Street, as there is no barrier between these two spaces. As such, a condition will require for these windows to demonstrate compliance with the objective of this Standard.
142. The proposed east-facing window of the bathroom at first floor does not require screening as this is not a habitable room window.
143. The master-bedroom will consist of an east-facing window and a balcony, which will consist of a 1m high balustrade. The sectional drawing submitted by the Applicant illustrates that downward views into the SPOS of Nos. 661 to 667 Drummond Street from the new balcony at first floor, are restricted to over 3.6m above natural ground within the 9m overlooking arc, as a result of the existing 3.6m high eastern boundary wall; therefore complying with the objective of the Standard. However, there is still possible overlooking opportunities into the SPOS of No. 6 Reserve Street and the SPOS of Nos. 102 and 104 Newry Street. Therefore, a condition will require for the demonstration of compliance with this Standard.
144. The sketch plans provided show a north-facing window to the family/living area (adjacent to the proposed light-court). The first floor plan states that this window will have a sill height of up to 1.7m above floor level; and as such complying with the Standard. The sketch plans also show a west-facing window (adjacent to the light-court) to the bathroom. Given that this is not a habitable room window, screening is not required.

*Second floor*

145. The window of the west-facing bedroom at second floor does not require screening as it overlooks Reserve Street and front yards (which are not SPOS) within the 9m overlooking arc.
146. The sketch plans show this bedroom changed to an office. Similar to the bedroom, no screening is required as this window will overlook Reserve Street and front yards. The sketch plans also show an additional south-facing window to this office (not shown on the advertised plans). Whilst the proposed south elevation does not show the height of this window above floor level, the sectional drawing shows this window at second floor as appearing to have a sill height of up to 1.7m above floor level. A condition will require this to be clarified given the potential for overlooking opportunities from this window to the POS of the dwellings to the south.
147. The proposed south-facing window of the bathroom and stairs at second floor does not require screening as this is not a habitable room windows. However, the sketch plans show the relocation of the bathroom further north of the second floor, with the windows to the stairs appearing to have a sill height of up to 1.7m above floor level. A condition will require this to be clarified given the potential for overlooking opportunities from the office, through this window to the POS of the dwellings to the south.

148. The advertised plans illustrate that downward views into the SPOS of Nos. 661 to 667 Drummond Street from the office window at second floor, are restricted to over 3.6m above natural ground within the 9m overlooking arc, as a result of the existing 3.6m high eastern boundary wall; therefore complying with the standard. However, there are still possible overlooking opportunities into the SPOS of No. 6 Reserve Newry Street. Therefore, a condition will require for the demonstration of compliance with this Standard.

149. The sketch plans show this office changed to a bedroom. Similar to the office, there are possible views into the SPOS of No. 6 Reserve Street and as such a condition will require this to be clarified. The sketch plans provided show a north-facing window to the office area (adjacent to the proposed light-court). Whilst it appears to have a sill height of up to 1.7m above floor level, this has not been annotated and will be required under a condition. The sketch plans also show a west-facing window (adjacent to the light-court) to the bathroom. Given that this is not a habitable room window, screening is not required.

*A16 – Daylight to new windows objective*

150. All of the proposed windows will face an area with a minimum 3sqm and minimum dimension of 1m clear to the sky, thereby complying with the standard.

*A17 – Private open space objective*

151. The standard states that a dwelling should have POS of an area consisting of 80sqm or 20% of the area of the lot, whichever is the lesser, but not less than 40sqm. Furthermore, at least one part of the POS should consist of SPOS with a minimum area of 25sqm and a minimum dimension of 3m at the side or rear of the dwelling with convenient access from a living room.

152. The dwelling would provide approximately 27sqm of POS at ground floor. The SPOS of 27sqm at the rear of the ground floor complies with the minimum area of 25sqm required by the standard for SPOS and is easily accessible from the main living area and provides satisfactory recreational space for the dwelling occupants.

*A18 – Solar access to open space objective*

153. The open space at ground floor is orientated to the east. Given that the existing dwelling at No. 6 Reserve Street is setback over 5m from its eastern (rear) boundary and the proposed dwelling on this site will be setback of 4m from its rear boundary, the open space of the subject site will continue to receive full northerly solar access.

*A19 – Design detail objective*

154. The proposal is an appropriate response to the mixed neighbourhood character and integration with Reserve Street, and can be supported on the following grounds:

- (a) The presentation of the proposed development is considered to achieve a design response which respects the existing neighbourhood character of the area. As described earlier in this report, the presentation of the garage entrance to the street with the provision of a highly visually permeable material (by way of condition), is considered to be acceptable in light of the established pattern of garage doors which face onto the street.
- (b) Utilising a flat roof for the development would ensure the building presents in a similar fashion to the surrounding developments.
- (c) As recommended previously in the report, the front entry needs to be highlighted to provide an appropriate separation between the vehicle access and pedestrian entry, a condition will require the canopy to protrude forward (similar to that of No. 54A Reserve Street), to emphasise the pedestrian entrance rather than giving prominence to the garage.
- (d) Whilst a material schedule has been provided for the dwelling walls, boundary walls and the frames of the doors and windows, the colours of these walls, including the materials and colours of the entrance door, garage door and glazing on windows have not been provided.

A condition will require a full materials and finishes schedule, including samples of the proposed finishes to ensure that the objective of this standard is met and the design detail respects the character of the neighbourhood.

*A20 – Front fences objective*

155. No new front fence is proposed. This is acceptable as a number of dwellings along Reserve Street do not have front fencing.

Heritage

156. The decision guidelines from *Clause 43.01-4 Heritage Overlay* and policy from *Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay)* of the Scheme are used to assess the proposed works, in-order to ensure that there is consistency achieved with the heritage values of the surrounding area.
157. The proposed demolition of the existing building, aside from sections of existing boundary walls is consistent with the directions provided under *Clause 22.02-5.1* of the Scheme which states *generally encourage the retention of a building in a heritage place, unless the building is identified as being not contributory*. The subject dwelling is identified as a not-contributory building, therefore the extent of demolition is supported and will not adversely impact the heritage significance of the heritage precinct. However, as the demolition plan does not clearly show the extent of the existing boundary walls to be demolished, a condition will require this to be shown.
158. Overall, the proposed demolition is acceptable and will not adversely impact the heritage significance of the heritage precinct. Council's Heritage Advisor is supportive of the extent of demolition.
159. *Clause 22.02-5.7* provides direction as to the appropriate design and location of a new development. The proposed triple-storey dwelling is appropriate for a number of reasons.
160. The building is classified as not-contributory to the heritage precinct based on the requirements of Appendix 8 of the City of Yarra Review of Heritage Overlay Areas 2007. The subject site is located at the very end of a dead-end street, with none of the other properties fronting Reserve Street being graded with any heritage significance. Therefore, there are no other dwellings with heritage value to draw upon in the immediate streetscape. However, the site is within a Heritage Overlay area and must be considered within this broader context.
161. The proposed front setback will be between 1m to 4.3m, which is not similar to the adjoining buildings; 4.3m setback of the existing dwelling at No. 6 Reserve Street (with the approved dwelling having a setback 3.1m), 6.2m front setback at Nos. 8 and 10 Reserve Street, 3m setback at No. 12 Reserve Street and zero metres for the dwellings fronting Curtain Street. As such, the proposed front setback of 1m does not meet the heritage policy which *encourages setbacks from the principal street frontage to be similar to those of adjoining contributory buildings*. Council's Heritage Advisor has recommended the proposed front setback to be increased to a total of 3m, which would be in-keeping with the original front setback of 2.5m to 3m along Reserve Street. As discussed previously, Reserve Street does not have an established and consistent built for character or possess any heritage value. In addition, the existing building on the subject site is setback over 8m from the front boundary. To reduce the dominance of the proposed garage, the Applicant has offered to increase the setback of the garage to 2m in total from the front boundary (as shown on the sketch plans).
162. Council's Heritage Advisor is supportive of the majority of the ground floor walls along the northern and southern boundaries having zero setbacks as this is *consistent with the original pattern of development in the street*. The front and side setbacks at first and second floors are also supported from a heritage perspective.

163. Council's Heritage Advisor is supportive of the proposed façade height of 3m at ground floor, 6.2m at first floor and 7.97m at second floor, as it will be of a similar scale to the approved three-storey building at No. 6 Reserve Street. In addition, façade heights of contributory buildings within the heritage precinct generally vary from 5m for single-storey buildings to 7m for double-storey buildings, and therefore, the proposal whilst at three storeys high is not significantly higher.
164. The proposed roof form is a flat roof which is contemporary in style. Whilst the surrounding contributory dwellings along Curtain, Newry and Drummond Streets consist of a mix of hipped or gabled roof forms, the immediately adjacent dwellings along Reserve Street consist of flat roof forms, and as such the proposed flat roof form is supported.
165. Council's Heritage Advisor is supportive of the overall contemporary design and rectangular fenestrations on the façade, as there is no visual impact on the overall North Carlton Heritage Precinct due to the site's location and also as the proposed development reflects similar characteristics as the approved dwelling at No. 6 Reserve Street, *particularly its 'boxy' contemporary form and minimal fenestration*. As shown below, Council's Heritage Advisor has stated that *once constructed, these two adjoining developments will complement each other*.



166. The proposal has adopted both traditional materials (recycled brick) and contemporary materials (timber cladding, concrete blocks and cement sheeting). Council's Heritage Advisor is supportive of the proposed materials as the development will mix original fabric from the existing building with the use of recessive colours such as lighter greys for the contemporary materials. Whilst the use of Aluminium louvres for the windows facing Reserve Street is not in keeping with the character of the North Carlton Precinct, Council's Heritage Advisor has come to the conclusion that *as the street has been identified as being generally devoid of heritage character, the appearance of the proposed building and the selection of external materials is considered acceptable*, subject to the setback from the front boundary at ground floor.
167. Overall, the proposal appropriately responds to the particular requirements contained within *Clause 22.02* and *Clause 43.01* of the Scheme, and therefore, subject to conditions, is considered acceptable in relation to the heritage context of the street and would not unreasonably impact the heritage significance of the North Carlton Heritage Precinct.

#### Vehicle access

168. The comments from Council's Traffic Engineering Unit state that while the vehicle access from Reserve Street and car parking arrangements at the front of the site are generally satisfactory, some changes or additional details are required. These include:
- (a) the position of the existing vehicle crossing to be shown on the proposed ground floor plan;



- (b) the existing vehicle crossing widened to the same width as the garage doorway;
  - (c) the setback area (inside of the garage) to be constructed in a different material to the footpath; and
  - (d) the plans to show the grade and length of the internal pedestrian ramp; with the ramp being constructed no steeper than 1 in 14.
169. The Traffic Engineering comments outline a number of issues relating to construction works, protection of Council assets and reinstatement works which would all be addressed through standard conditions.
170. Overall the proposed car parking arrangements is considered satisfactory subject to the conditions described above.

#### Development abutting a laneway

171. Whilst built form along the southern boundary is proposed, all plans show that the works will be within the title boundaries of the subject site. In addition, the mix of materials proposed, i.e. recycled brick, concrete block, timber battens and cement sheeting, etc. will respect the mix of built form along the ROWs.
172. The main pedestrian access continues to be from Reserve Street and not the ROW. The addition of sensor-lights above the pedestrian door will provide for safety and security of the residents and the property. The laneway will not be used for any form of storage in light of the 'store' area shown within the proposed dwelling at first floor.
173. The proposed development complies with the requirements of *Clause 22.07* of the Scheme.

#### Objector Concerns

174. The majority of concerns raised by the objectors have been addressed in the above assessment. A summary of the response to objector concerns is provided as follows:
175. *Proposed design, including the materials are not appropriate with regards to the existing neighbourhood character.*  
The dwelling's integration with the neighbourhood character and the surrounding area has been discussed in paragraphs 73 – 84, 157 to 168.
176. *Over development of the site (height, site coverage, lack of setbacks).*  
The site coverage is discussed in paragraphs 86 to 87, side and rear setbacks in 93 to 97, and the height of the proposal is discussed in paragraph 85.
177. *Amenity impacts (energy efficiency, visual bulk, overshadowing, overlooking, daylight to habitable rooms).*  
Off-site amenity impacts have been discussed in paragraphs 90 to 91, 93 to 150.
178. *Noise from air-conditioning units on the roof.*  
The southern elevation of the sketch plans show that the air-conditioning units are to be shielded. However, a condition will require further detail regarding this measure.
179. *Noise and concerns during construction.*  
This is not a planning consideration and will be managed by the Construction Department. However, the standard condition regarding the hours of construction will be included.

#### **Conclusion**

The proposal demonstrates an acceptable level of compliance with the policy requirements outlined in the Yarra Planning Scheme. Based on the above report, the proposal is considered to comply with relevant planning policy and is supported, subject to conditions.

## RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN17/0048 for development of the land for the construction of one, three-storey dwelling, including part demolition at 2 Reserve Street Carlton North VIC 3054 subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the sketch plans (dated 18/09/17) showing:

- (a) Setback of the garage at ground floor increased to 2m from the western (front) boundary.
- (b) Provision of a northern light-court (3.2m long x 1.2m wide) at both first and second floors adjacent to the existing, south-facing habitable room window of No. 6 Reserve Street.
- (c) Addition of a pillar-style letter box within the front setback; at the corner of Reserve and the ROW to the south, including pavers leading to the front pedestrian entrance.
- (d) Installation of sensor-lighting to the pedestrian entrance.
- (e) Deletion of the window on boundary at ground floor and addition of skylights, including an additional south-facing window at second floor (office).
- (f) Changes to the materials and finishes schedule; showing Colorbond interlocking panels (grey) on the front portion of the southern wall at first floor in place of rendered blue board and rendered blue-board (Cream) or radial timber battens to the southern and eastern walls at first floor;
- (g) Screening to the air conditioning units on the southern side.

but further modified to show:

- (h) The extent of existing boundary walls to be demolished.
  - (i) The existing south-facing habitable room window of No. 6 Reserve Street.
  - (j) Height dimensions of all proposed and existing boundary walls (which are to remain) taken from natural ground level.
  - (k) The following to demonstrate compliance with the objective of Standard A15 (Overlooking objective) of Clause 54 of the Yarra Planning Scheme:
    - (i) South-facing family room window and south-facing staircase window at first floor;
    - (ii) East-facing balcony at first floor;
    - (iii) South-facing staircase window at second floor;
    - (iv) East-facing bedroom window at second floor; and
    - (v) North-facing window of the office at second floor.
  - (l) Southern and eastern elevations to confirm proposed materials and finishes of the first floor.
  - (m) Details of the screening treatment to the air condition units.
  - (n) The existing crossover widened to the same width as the proposed garage doorway.
  - (o) The position of the existing vehicle crossing.
  - (p) The setback area (inside of the garage) to be constructed in a different material to the footpath.
  - (q) The grade and length of the internal pedestrian ramp; with the ramp being constructed no steeper than 1 in 14.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if any of the following occur;
  - (a) The development is not commenced within two (2) years from the date of this permit.
  - (b) The development is not completed within four (4) years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months after the expiry date for commencement, or within twelve months after the expiry date for completion.

NOTE: This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

NOTE: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5585 to confirm.

NOTE: Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

NOTE: A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

**CONTACT OFFICER:** Nish Goonetilleke  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5005

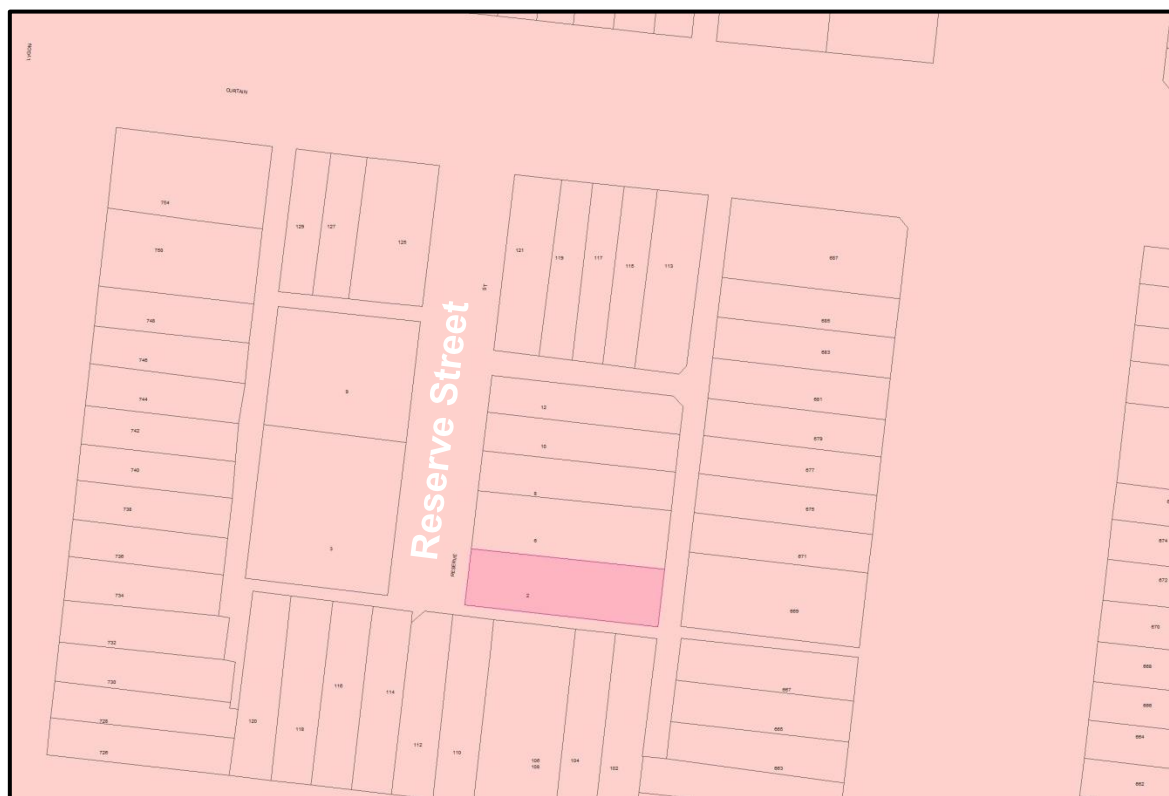
#### **Attachments**

- 1 PLN17/0048 - 2 Reserve Street Carlton North - Site Location Plan
- 2 PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans
- 3 PLN17/0048 - 2 Reserve St - Updated Shadow Diagrams
- 4 PLN17/0048 - 2 Reserve Street Carlton North - Sketch Plans
- 5 PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice
- 6 PLN17/0048 - 2 Reserve St Carlton North - urban design advice
- 7 PLN17/0048 - 2 Reserve Street Carlton North - Engineering comments

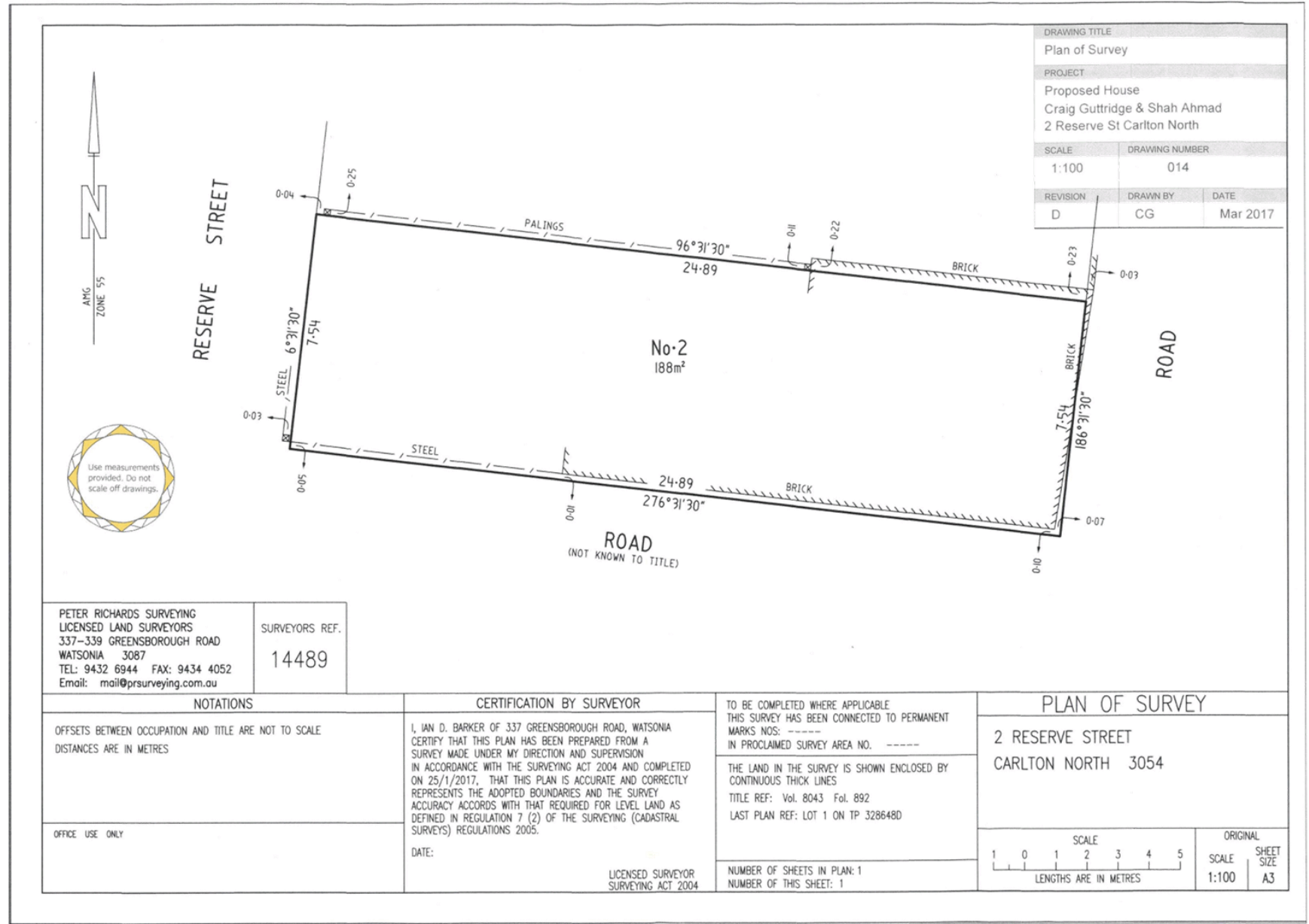
**Attachment 1 - PLN17/0048 - 2 Reserve Street Carlton North - Site Location Plan**

**SUBJECT LAND: 2 Reserve Street Carlton North**

↑ North  Subject Site



Attachment 2 - PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans







Existing Conditions Scale 1:200



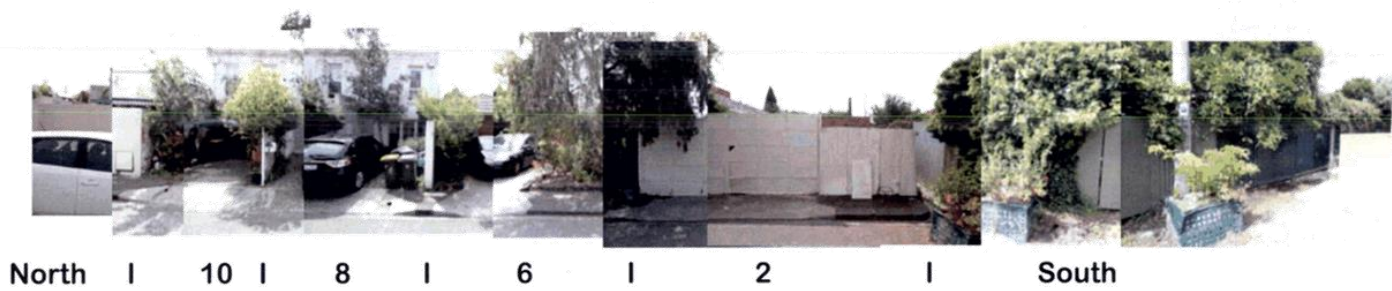
Use measurements provided. Do not scale off drawings.

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Proposed House Craig Guttridge & Shah Ahmad 2 Reserve St Carlton North		
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Proposed House		
Craig Guttridge & Shah Ahmad		
2 Reserve St Carlton North		
SCALE	DRAWING NUMBER	
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**Attachment 2 - PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans**



**Reserve St Existing Looking East**



**Reserve St Looking West (Opposite)**



**Side Lane  
looking  
East**



**Side Lane  
Looking  
East**



**Side Lane looking  
West.  
(Towards Reserve)**



**Rear Lane  
looking North  
to Curtain St**



**Rear Lane  
looking North**

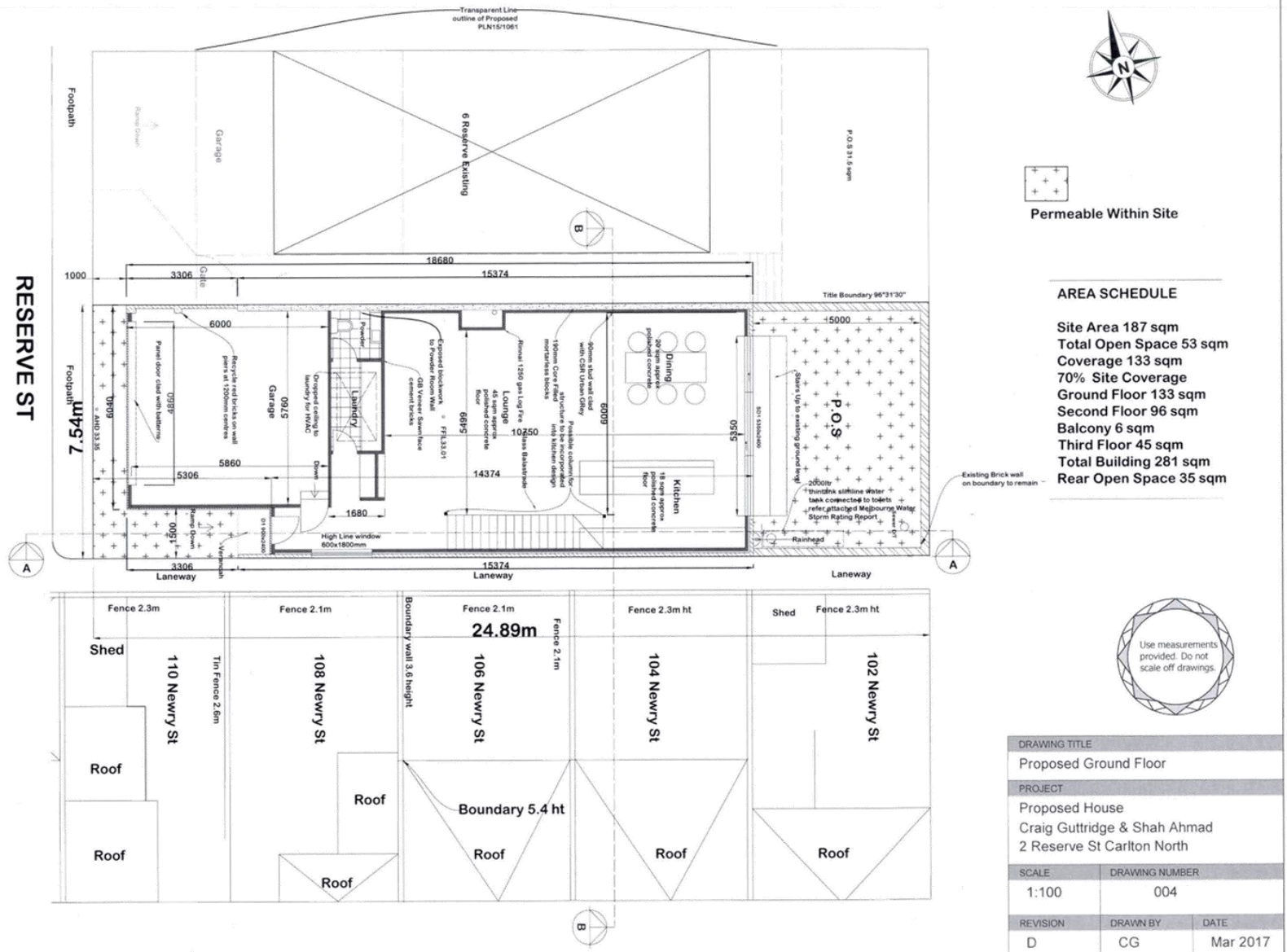


**Reserve St  
looking  
North**

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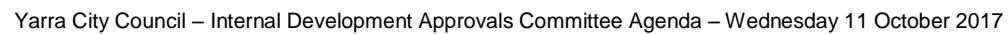
Attachment 2 - PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans

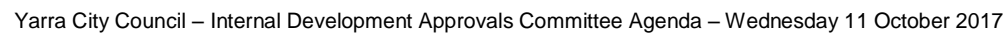




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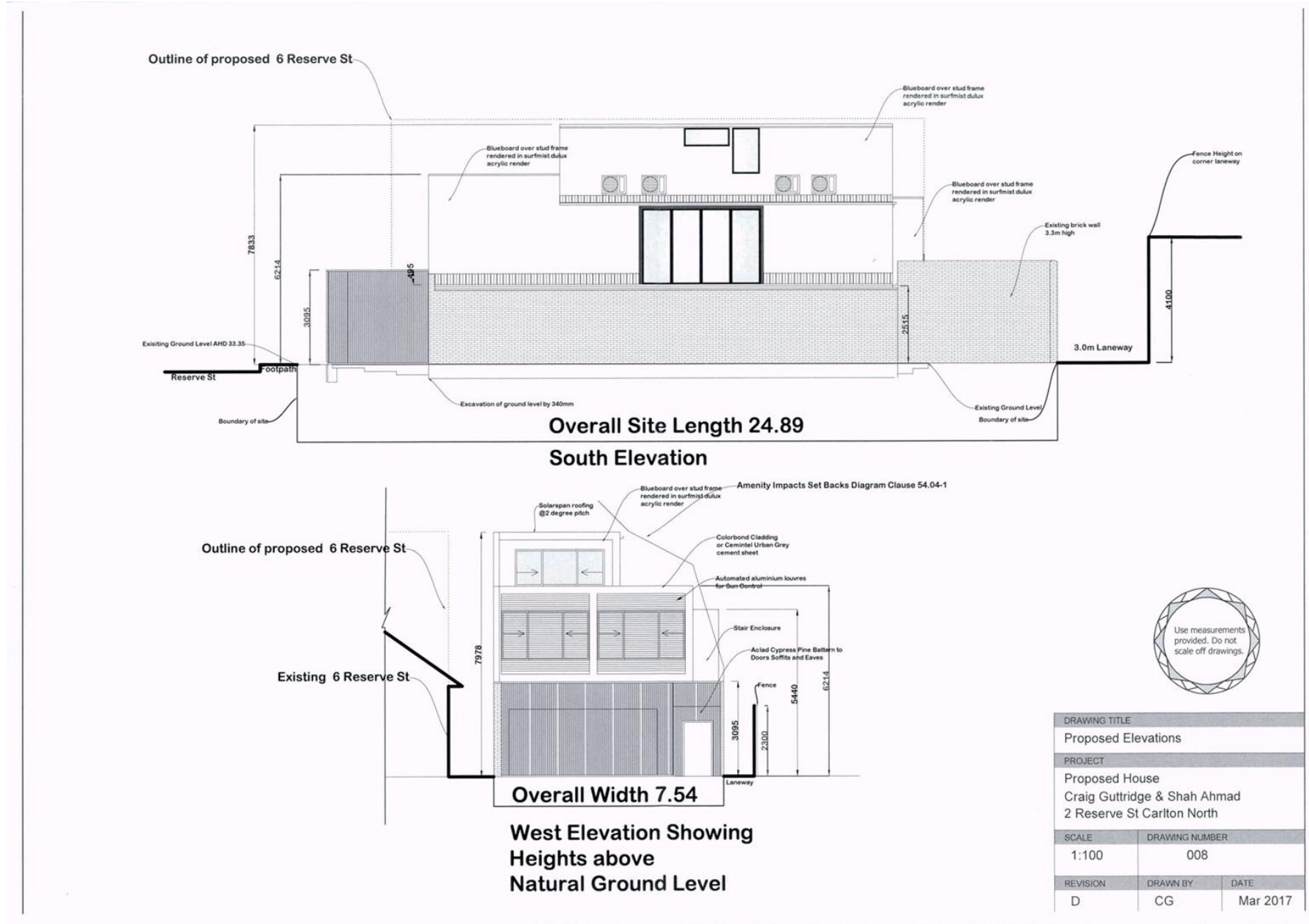
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Craig Guttridge & Shah Ahmad		
2 Reserve St Carlton North		
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REVISION	DRAWN BY	DATE
D	CG	Mar 2017



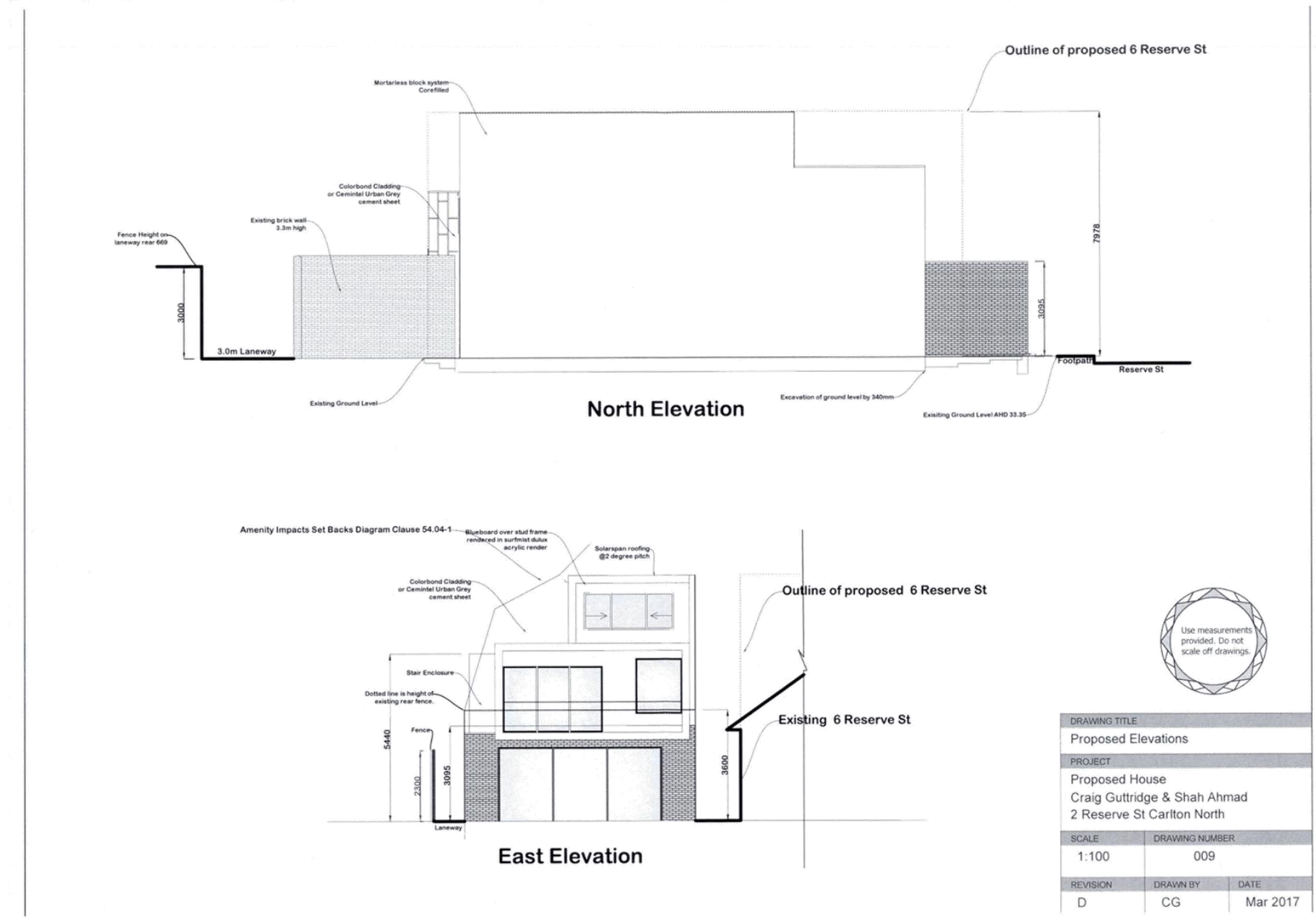




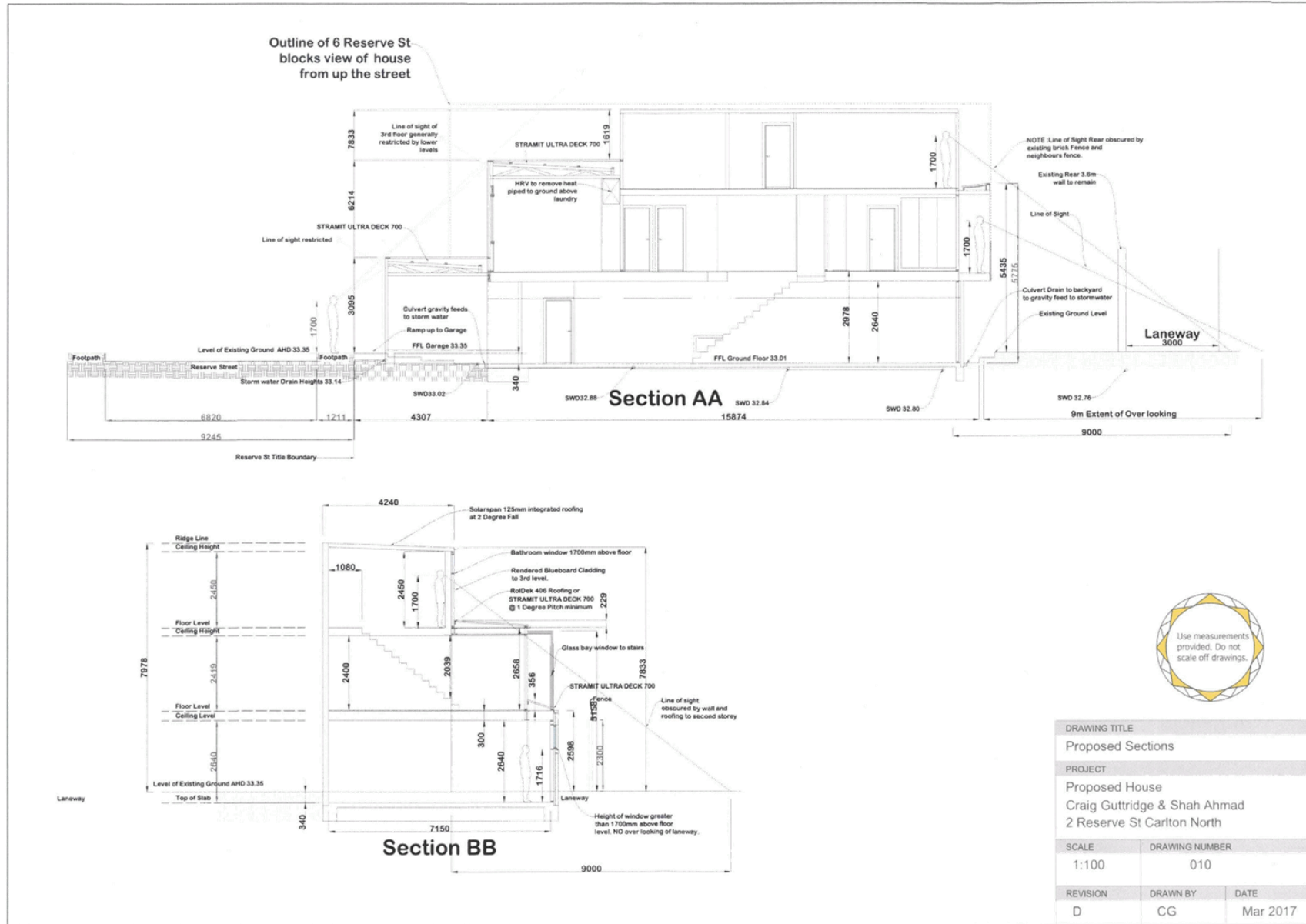
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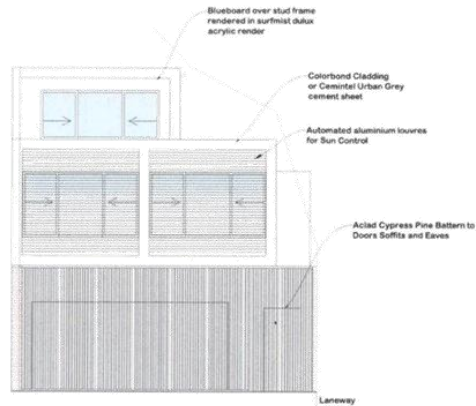
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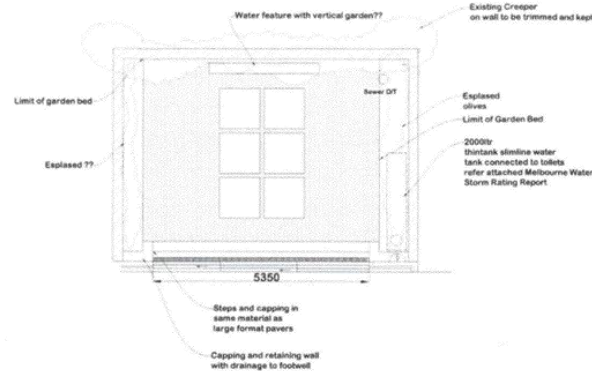
# Attachment 2 - PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans



# Attachment 2 - PLN17/0048 - 2 Reserve Street Carlton North - Decision Plans



West Elevation



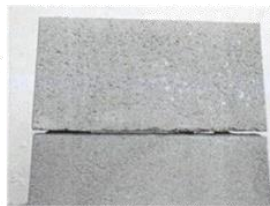
Landscape Plan Backyard



Design Battern to Garage and Entrance



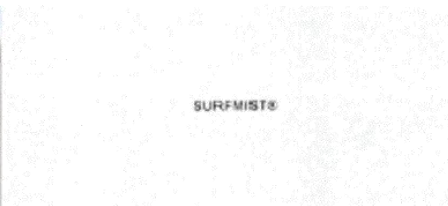
Red Clinker Bricks Existing



Mortarless Block Core Filled to Boundary Wall (North)



Urban Grey Cementel Sheet to Second Storey

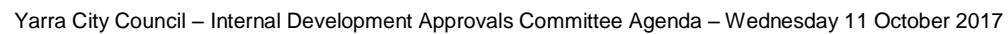


Surfmist render to Blueboard and 3rd Level



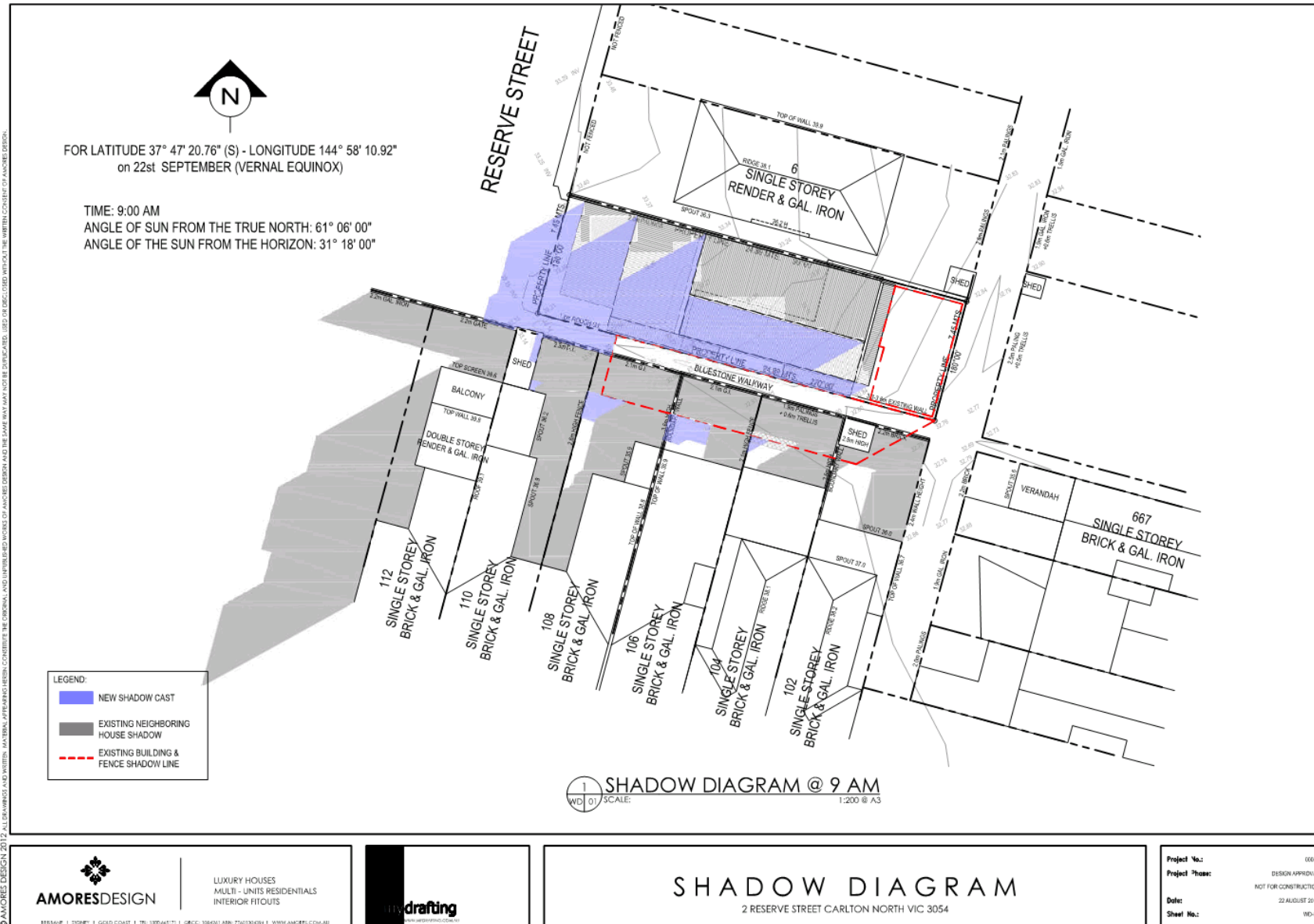
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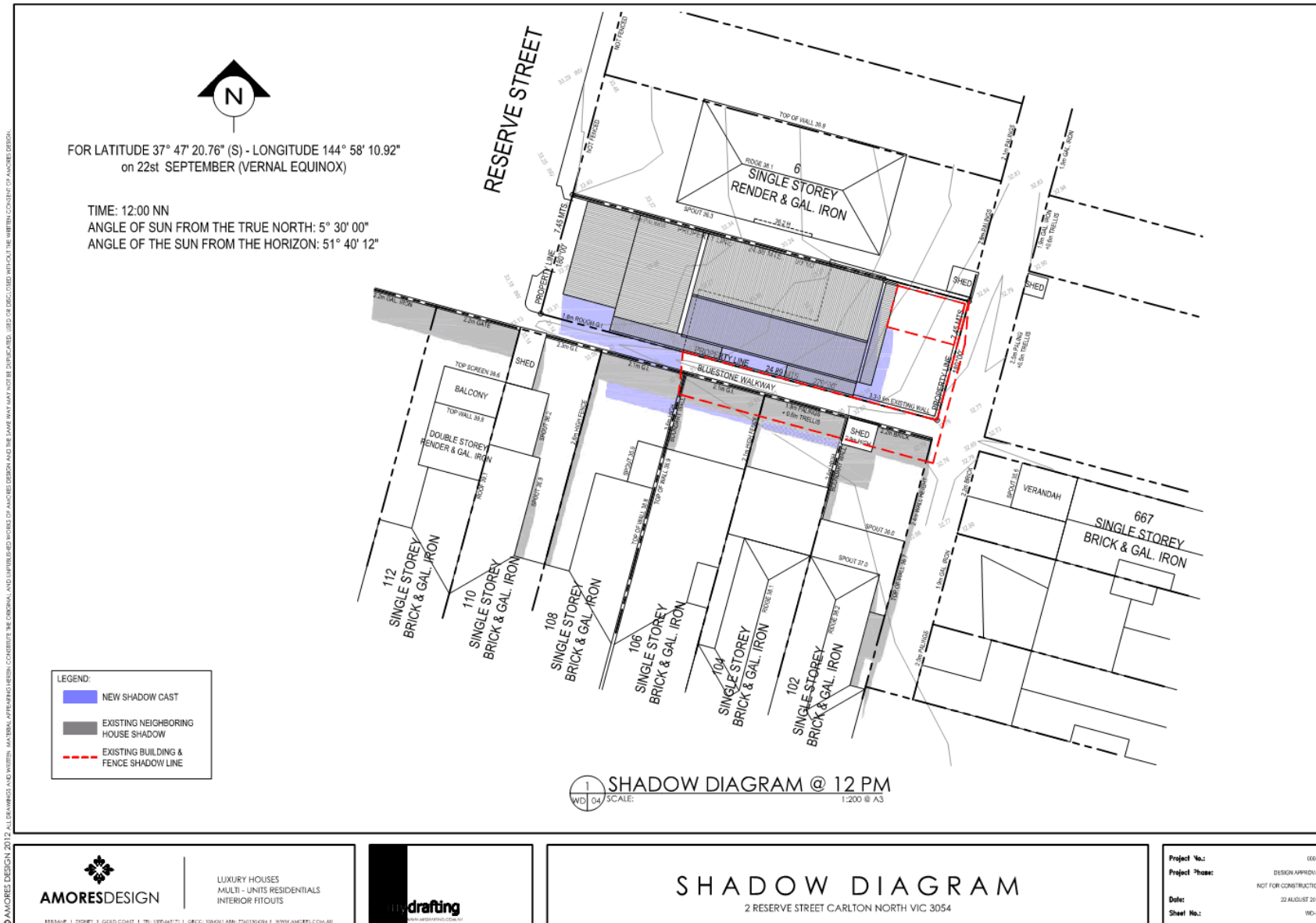




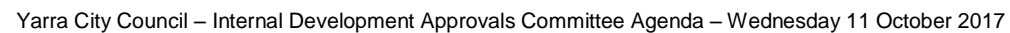
# Attachment 3 - PLN17/0048 - 2 Reserve St - Updated Shadow Diagrams

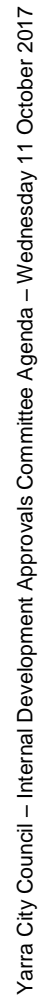


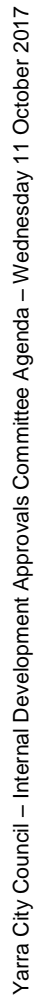
### Attachment 3 - PLN17/0048 - 2 Reserve St - Updated Shadow Diagrams

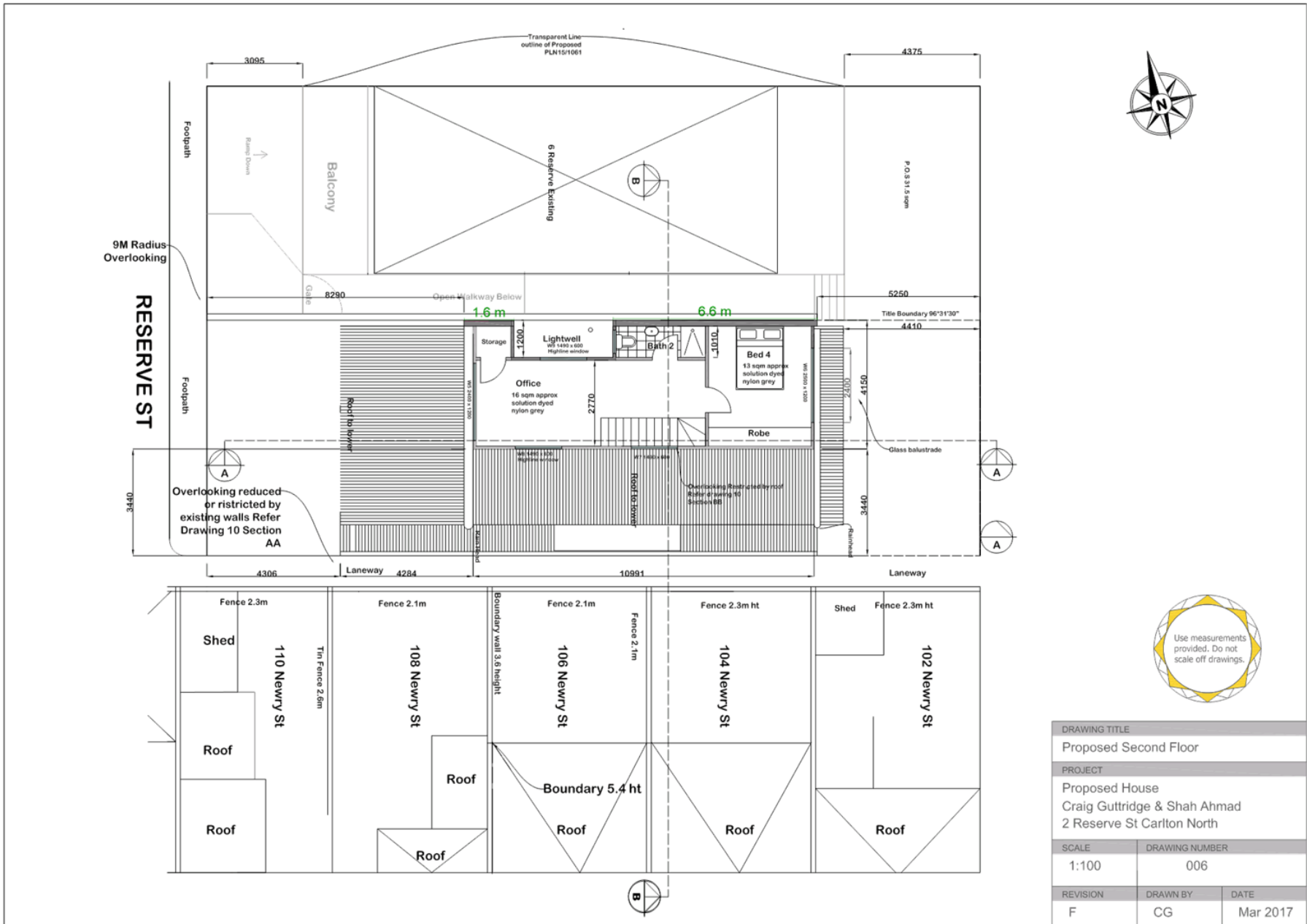




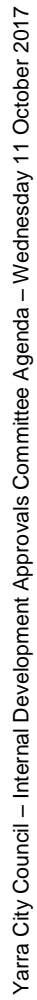


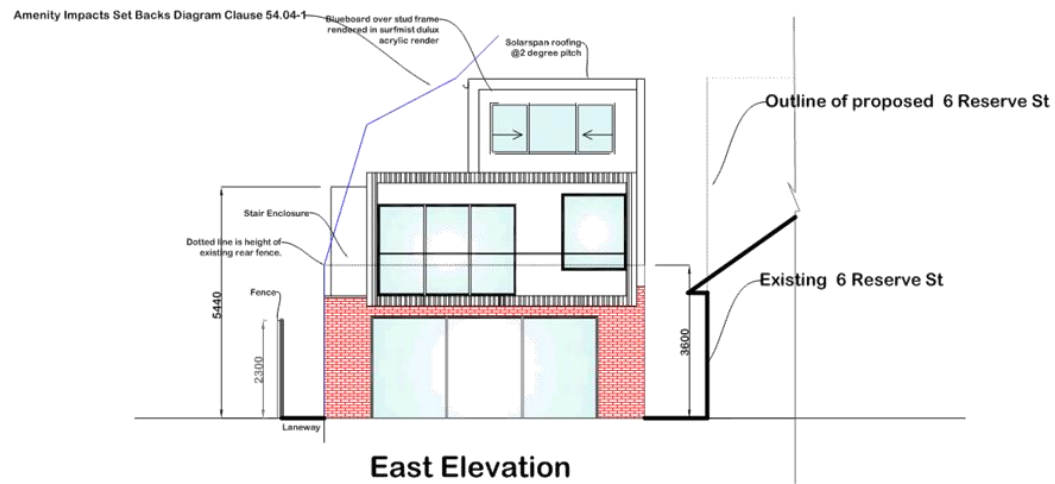
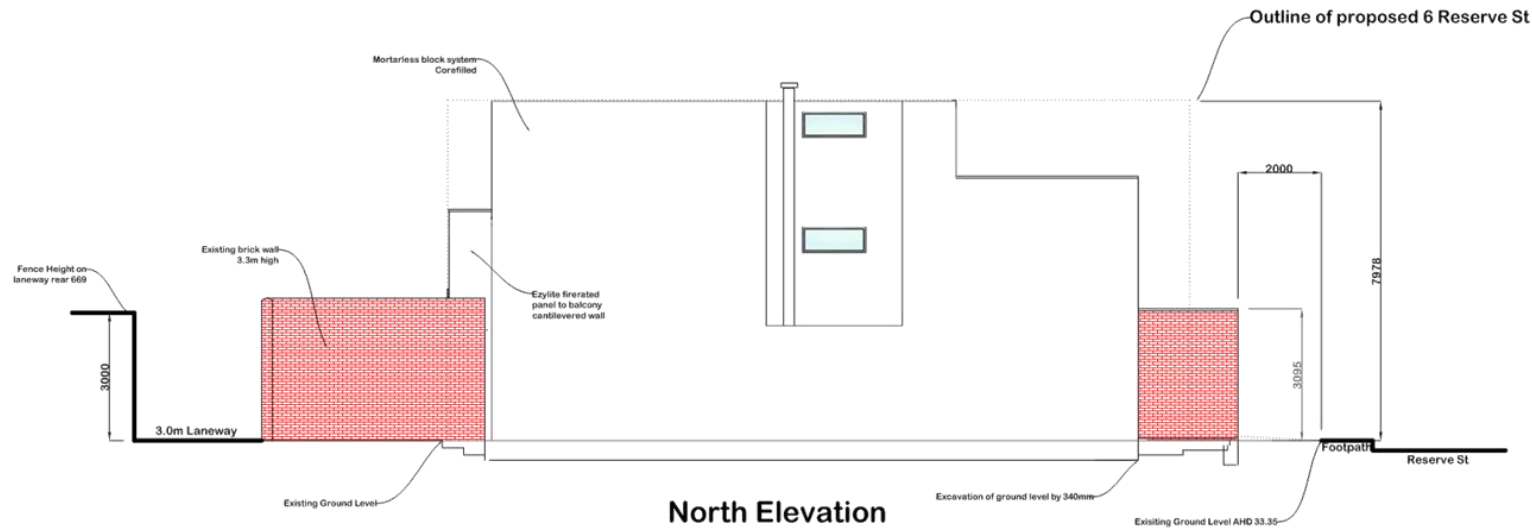




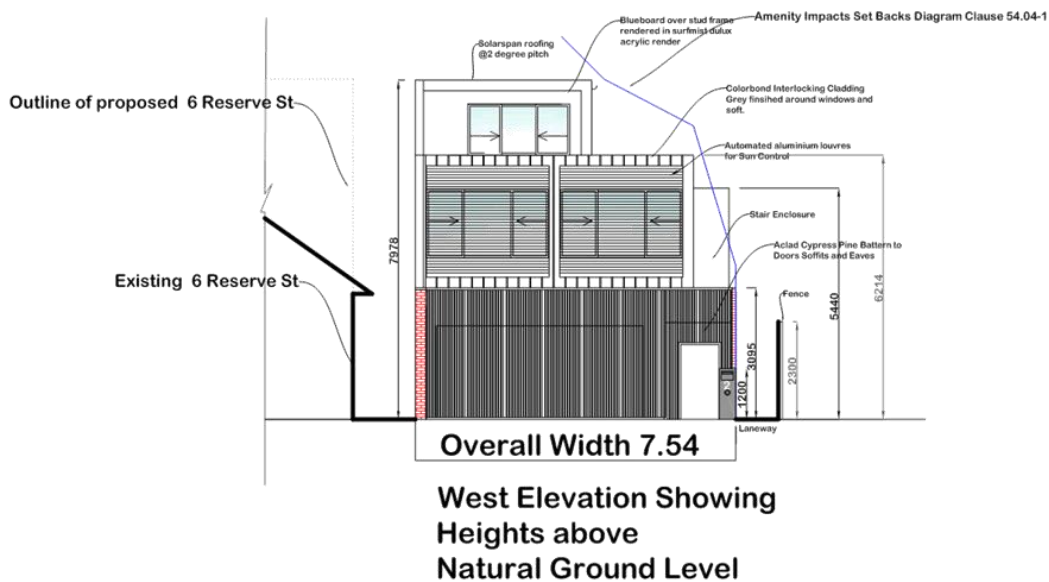
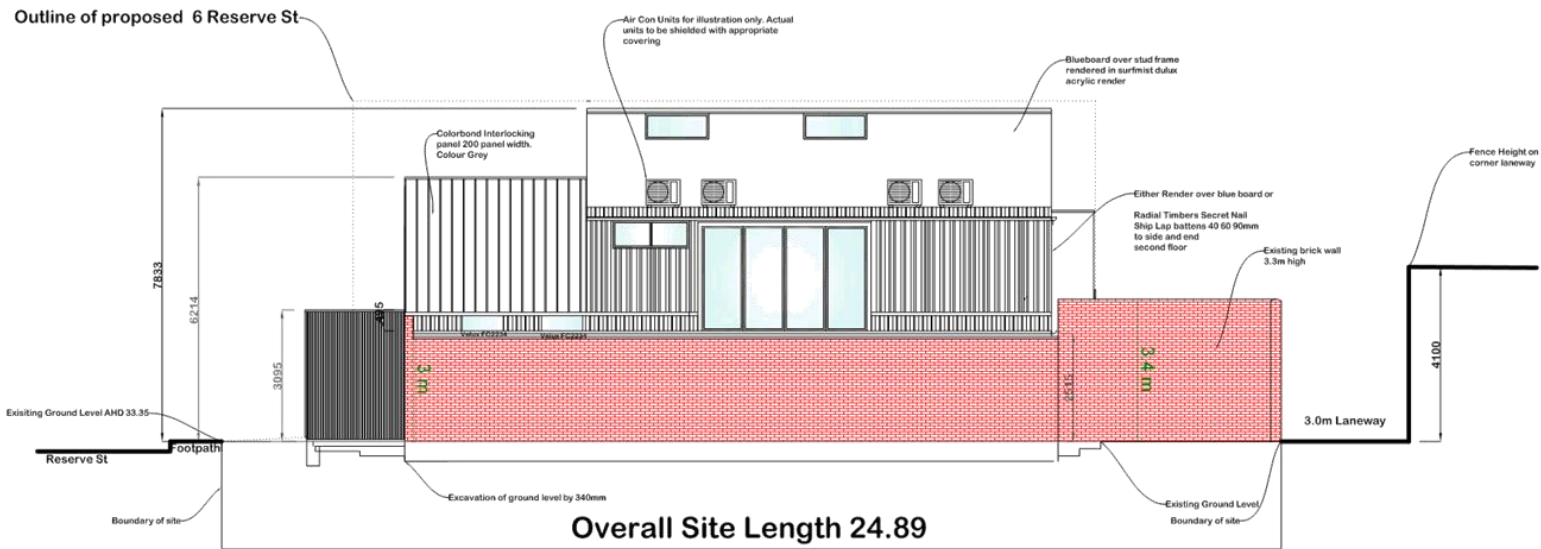








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Proposed Elevations		
PROJECT		
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SCALE	DRAWING NUMBER	
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Proposed Elevations		
PROJECT		
Proposed House Craig Guttridge & Shah Ahmad 2 Reserve St Carlton North		
SCALE	DRAWING NUMBER	
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REVISION	DRAWN BY	DATE
F	CG	Mar 2017



DRAWING TITLE		
Proposed Sections		
PROJECT		
Proposed House Craig Guttridge & Shah Ahmad 2 Reserve St Carlton North		
SCALE	DRAWING NUMBER	
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REVISION	DRAWN BY	DATE
E	CG	Mar 2017

**Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice****City of Yarra  
Heritage Advice**


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<b>Application No.:</b>	<i>PLN17/0048</i>
<b>Address of Property:</b>	<b>2 Reserve Street, Carlton</b>
<b>Planner:</b>	<i>Nish Goonetilleke</i>
<b>Yarra Planning Scheme References:</b>	STATE POLICY: <ul style="list-style-type: none"> <li>• <i>Clause 15.03 Heritage</i></li> </ul> LOCAL POLICY: <ul style="list-style-type: none"> <li>• <i>Clause 21.05-1 Built Form (Heritage)</i></li> <li>• <i>Clause 43.01 Heritage Overlay</i></li> <li>• <i>Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay</i></li> </ul>
<b>Heritage Overlay No. &amp; Precinct:</b>	<i>HO326-North Carlton Precinct</i>
<b>Level of significance:</b>	<i>Not-contributory, constructed: UNKNOWN (Appendix 8, City of Yarra Review of Heritage Overlay Areas 2007- updated Feb 2017)</i>
<b>General description:</b>	<i>Partial demolition of existing shed and construction of a 3 storey dwelling</i>
<b>Drawing Nos.:</b>	<i>Set of 11 x A3 drawings, received by Council and date stamped 19 April 2017.</i>

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**DESCRIPTION OF THE HO326 AREA**

The HO area is significant for its Victorian, Edwardian and Interwar-era buildings. The area is one of the most intact historic neighbourhoods within the State and is enhanced by evidence of late 19<sup>th</sup> century and early 20<sup>th</sup> century infrastructure including brick stables, outhouses and bluestone laneways and pitched streets.

**CONTEXT DESCRIPTION:**

The subject site is a rectangular allotment with principal frontage to Reserve Street, side frontage to a narrow bluestone laneway and rear access via another bluestone laneway. It is located on the eastern side of the street at the end of a short no-through road. Reserve Street is a relatively short street at 50metres long and relatively narrow at 8metres wide (footpath to footpath).

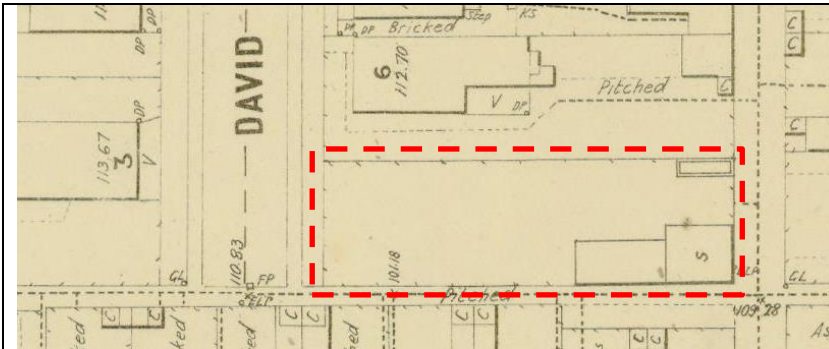
Despite how unusually small it is, Reserve Street appears to have been planned as a proper street. The MMBW plan of 1901 shows Reserve Street as David Street, with a number of houses constructed fronting the subject road. The plan also shows that in 1901 the subject site contained only a stable building with an attached structure and a trough. The site is fully fenced so it is not clear if it was associated with the adjoining property or not.

There is currently no dwelling on the subject site, only possibly remnants of the stable and attached structure shown on the MMBW plan which is visible from the street front, beyond a tall fence. The stable building is setback 8.7metres from the front title boundary and is built to the rear and southern boundary along the laneways. It's constructed of early redbrick and appears to have been converted in the early 1900's to a studio or small residence.

It is unusual that none of the buildings in the subject street are contributory. All are newer, replacement buildings. The adjoining property is a modest 1960s, single storey, brick veneer with a tiled and hipped roof. It is built on the northern boundary, abutting a two-storey dwelling at 8 Reserve Street also built to the boundary.



**Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice**



Above: Extract from MMBW Plan 1159 from c.1910. Subject site outlined in red.



Above: Current aerial of the subject site showing outline of earlier stable shaded in red



Above: Extract from Yarra GIS map showing contributory (cream), non-contributory (green) and individually significant (pink) properties within the immediate area. Subject site denoted by red dashed line.

## Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice



*Above: View toward subject site from across the street*



*Above: View toward subject site from front title boundary.*

### PERMIT BACKGROUND:

A permit to allow the construction of a two-storey dwelling with a maximum height of 6.2 metres on the subject site (PLN10/0623) was approved by VCAT on 26 September 2011. These works were not carried out and the property was sold in July 2016.

A permit to construct a three-storey dwelling with a maximum height of 7.84 metres to be constructed on the adjoining site at no. 6 Reserve Street (PLN15/1061) was approved by Council on 31 May 2016.

### ASSESSMENT OF PROPOSED WORKS:

#### Comments regarding proposed demolition:

The extent of demolition proposed by this application includes removal of all fabric on the site, except for part of the existing wall along the rear boundaries.

The key consideration for assessing this aspect of the works is whether the proposed demolition will adversely affect the significance of the heritage building or the broader heritage precinct.

The site has been listed as non-contributory. Retention of some early fabric is encouraged as it is visible from the public realm and will (despite its official listing) contribute to the Victorian-era character of the area.

The extent of demolition is supported.

#### Comments regarding new development, alterations and additions:

The extent of new works proposed by this application includes development of a 3 storey dwelling of similar scale as the recently approved development on the adjacent site at no. 6 Reserve Street.

The key consideration for assessing this aspect of the works is whether the proposed development will adversely affect the significance, character or appearance of the heritage building or the broader heritage precinct.

*Setbacks:*

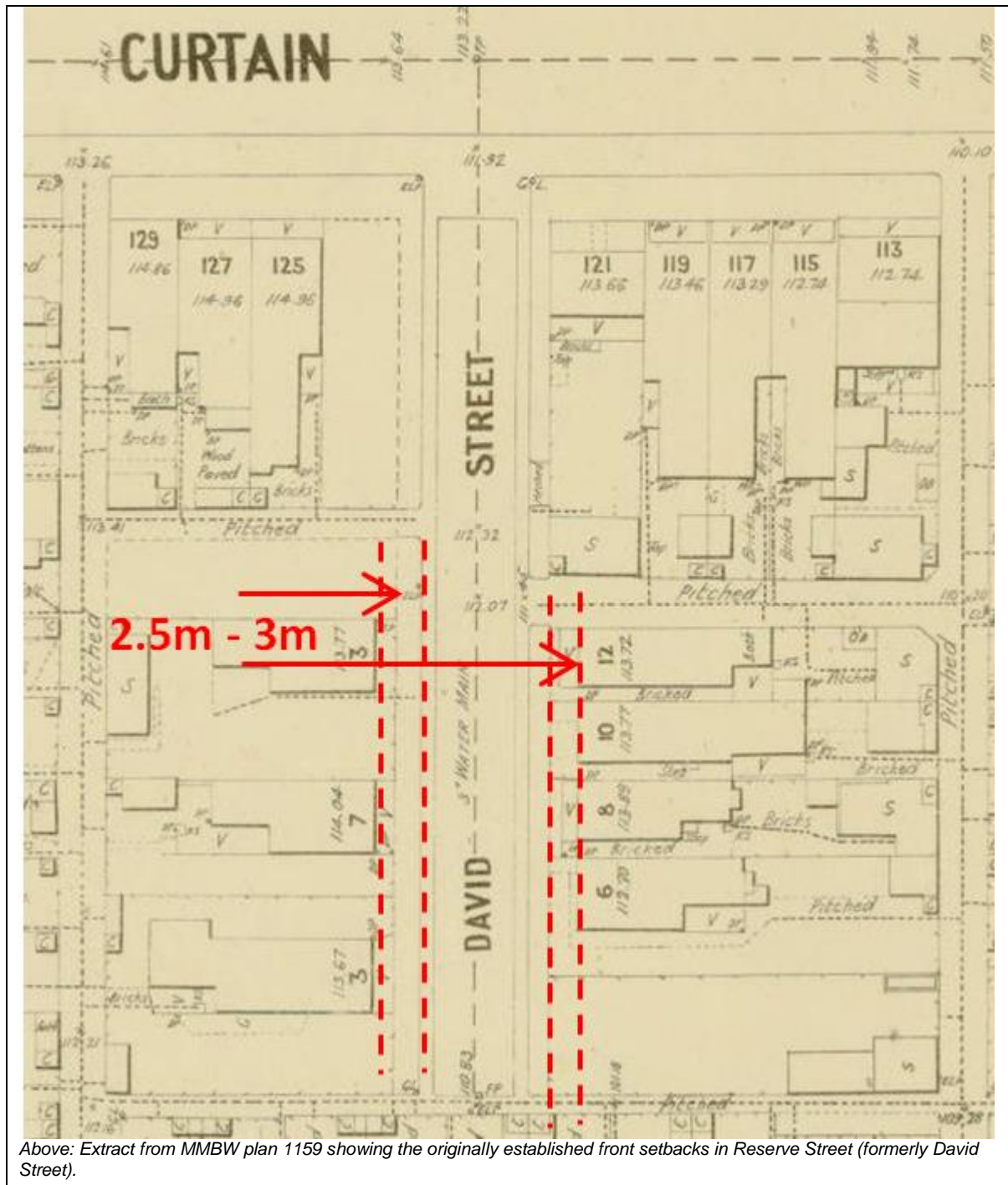
# **Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice**

The front setback (from front title boundary) for the proposed new development will be:

- Ground floor: 1 metre;
- First floor: 4.3 metres;
- Second floor: 8.2 metres.

Based on the MMBW plans, the original front setbacks along the street were approximately 2.5 to 3 metres from the front title boundary. Although there is currently a mix setbacks within the street, the recently approved setback of 3.1 metres for the adjacent development at no. 6 is considered appropriate. The front setback of the proposed development should maintain the character of the original front setbacks. Indeed, it is an objective of Clause 22.02-4 of the Yarra Planning Scheme to “preserve the scale and pattern of streetscapes in heritage places”.

The front setback for the proposed new development should be increased from 1 metre to about 3 metres.



Above: Extract from MMBW plan 1159 showing the originally established front setbacks in Reserve Street (formerly David Street).



## Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice

The proposed new development will have zero setbacks to both side boundaries with a minor setback of 1.5 metres leading to the front door. A zero side setback along one side of the site is consistent with the original pattern of development in the street as shown in the MMBW plan above. The side setback from the southern boundary will increase to 1 metre at the first floor level and about 3.4 metres at the upper floor level. The proposed side setbacks are supported.

### Scale/height:

The proposed facade height for the new development will be about 3 metres at ground level, 6.2 metres at the first floor level, rising to a maximum overall height of 7.98 metres for the recessed top floor level.

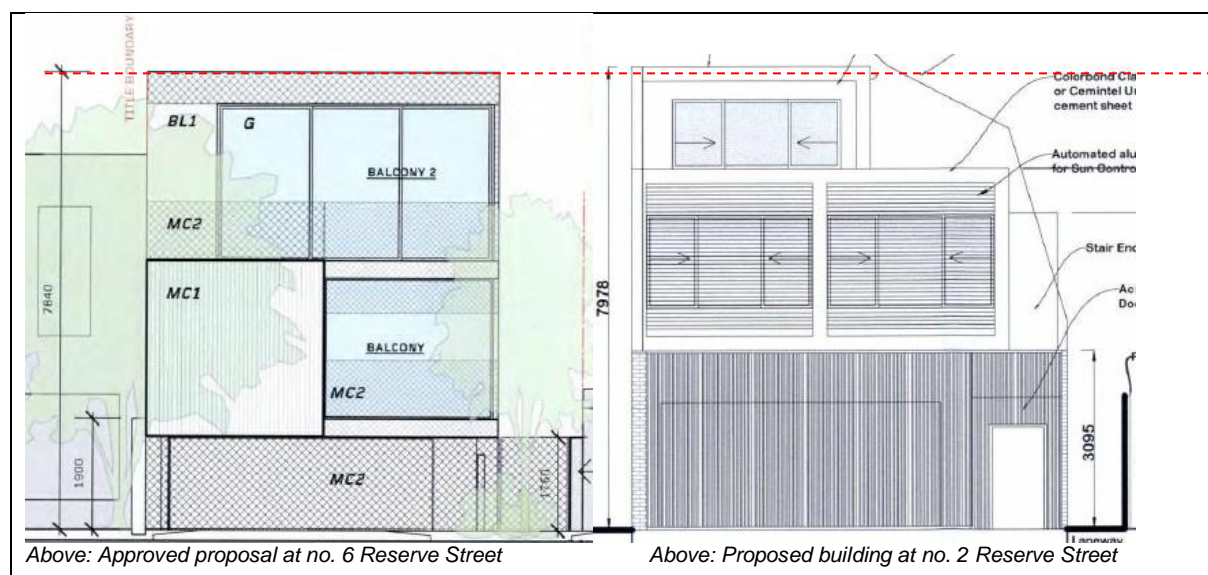
The finished height of the proposed development will be generally consistent with the height of the approved development at no. 6 Reserve Street. As previously advised (for the proposal at no. 6 Reserve Street), planning scheme policy 22.02-5.7.1 outlines a number of objectives for new developments, alterations and additions, including encouraging new developments to be:

visually recessive and not dominate the heritage place and to consider the architectural integrity and context of the heritage place.

Façade heights of contributory properties within the heritage precinct generally vary from about 5 metres for single -storey properties to about 7 metres for double-storey properties. Three-storey building heights are not common.

The adjoining non-contributory properties at No.8 and 10 Reserve Street are double-storey and appear to be about 6.4 metres tall. The rear addition at No. 121 Curtain Street is also double-storey and about 7 metres tall. Like the recently approved development at no. 6 Reserve Street, the proposed new building will be three-storeys and at least a metre taller than the existing but non-contributory buildings in the street.

The proposed dwelling, together with the approved development at no. 6, will transform the bottom end of Reserve Street from a traditional scale streetscape to a contemporary scale. Despite being within the North Carlton heritage precinct, it has been previously established that the character of Reserve Street is atypical of the surrounding area. New development of a higher scale can be potentially tolerated in Reserve Street provided that it has no visual impact on the highly valued heritage streetscapes of nearby streets, such as Curtain, Drummond and Newry Streets.



### Roof form:

The proposed roof form for the new development will be a flat roof. There are no contributory forms within the immediate area to reference. Accordingly, whilst a contemporary design, the proposed roof form is supported from a heritage perspective.

### Appearance:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages the design of new development to:

### Attachment 5 - PLN17/0048 - 2 Reserve Street Carlton North - Heritage advice

- Respect the pattern, rhythm, orientation to the street, **spatial characteristics**, fenestration, roof form, **materials** and **heritage character** of the surrounding historic streetscape.
- Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
- Be **visually recessive** and not dominate the heritage place.
- Be distinguishable from the original historic fabric.
- **Not remove, cover, damage or change original historic fabric.**
- Not obscure views of principle façades.
- Consider the **architectural integrity and context of the heritage place** or contributory element

As it has previously been determined that Reserve Street has little heritage character, new developments of contemporary appearance may be tolerated in this particular street provided that they have no visible impact the heritage character and appearance of the surrounding North Carlton Heritage Precinct.

Although the proportions of the various floor levels are different, the proposed development at no.2 Reserve Street exhibits many of the same characteristics as the approved building at no. 6 Reserve Street, particularly its 'boxy' contemporary form and minimal fenestration. Once constructed, these two adjoining developments will complement each other.

#### *Materials:*

The materials selected for the development include a combination of timber battens, recycled bricks (from the original stables), concrete block and grey coloured cement sheeting. The material palette is supported as being recessive in colour and for utilising original fabric which will help to amalgamate the new development within the historic precinct - especially along the south and east boundaries which face onto bluestone laneways.

The commercial character of the proposed aluminium louvres across the full width of the first floor façade is not considered in keeping with the character of the heritage precinct. It is however noted that the appearance of this building has obviously used the proposed adjacent building as a reference. Given that this street has been identified as being generally devoid of heritage character, the appearance of the proposed building and the selection of external materials is considered acceptable – provided that it is setback from the front boundary the same distance as the approved adjacent development.

### RECOMMENDATIONS:

On heritage grounds the works proposed in this application may be approved subject to the following conditions:

- 1) That the front setback of the proposed new development must be increased to at least 3 metres from the front title boundary to be consistent with the original pattern of setbacks in the street;

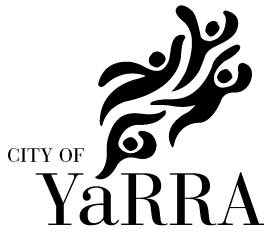
#### SIGNED:



Ruth Redden

DATED: 4 July 2017

**Attachment 6 - PLN17/0048 - 2 Reserve St Carlton North - urban design advice**



# MeMO

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TO: **Nish Goonetilleke**  
 FROM: **David Pryor**  
 DATE: **9 August 2017**  
 SUBJECT: **2 Reserve St, Carlton North**  
 APPLICATION NO: **PLN17/0048**  
 DESCRIPTION: **Construction of a three-storey dwelling**

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Urban design advice has been sought in relation to:

- the design response and its reference/relationship to the streetscape;
- materials and finishes.

## COMMENTS SUMMARY

This proposal is not supported in its current form. It is recommended that the carparking arrangements and finishes be reviewed to ensure that a positive relationship is provided to the street. Support would then be subject to confirmation that a three storey building will be built against the south boundary of 6 Reserve St.

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## Site and Context

The site is zoned NRZ1 and sits within HO326.

Reserve St is unusual, being a short dead-end street with typically narrow frontages along its east side, wide frontages along the west side. Carparking is typically in the form of unroofed car spaces accessed from Reserve St. No buildings taller than two storeys are visible from the street. To the rear is a 3m wide lane. To the south, the site is adjoined by a 1m wide lane (which presents as a bluestone drain), beyond which are the back yards of dwellings fronting Newry St.

The subject site currently presents a tall, opaque fence and gate to the street.

## Relationship to the Streetscape

The applicant states that a 3 storey dwelling has been approved at 6 Reserve St, immediately to the north. If that development does not proceed, the proposed 8m high north wall of the subject proposal would be highly visible above the existing single-storey neighbour, which would not be acceptable in its current form.

The proposed double garage occupies three quarters of the street frontage, and is considered overly dominant. It is recommended that this be revised to provide either habitable space or open space which makes a positive contribution to the street. 10 Reserve St (pictured below) shows one

### **Attachment 6 - PLN17/0048 - 2 Reserve St Carlton North - urban design advice**

way of achieving this without losing the potential for parking cars. This approach would have the additional benefit of facilitating tree planting or a planted pergola, which would help soften the presentation of the building to the street.



#### **Presentation to the Lane**

The retention of the existing brick boundary wall around the rear of the site is supported, but it is recommended that its height be reduced from the existing 3.6m to a more typical fence height. This would facilitate some passive surveillance of the lane from upper level windows.

#### **Building Design and Finishes**

Further information is needed on the proposed “Aclad Cypress Pine” cladding; cypress pine battens are supported, but Aclad does not appear to make them.

The proposed Colorbond or Cemintel cladding is not considered satisfactory for the front façade at first floor level. A more attractive finish is recommended in this prominent location (possibly the above-mentioned timber cladding). The west elevation should also identify the cladding above and below the first floor windows (behind the louvres). (Cladding to the top level is less crucial, given that it is well set back from the street.) It is recommended that the louvres to the west elevation be retractable, to enable some passive surveillance to the street.

This advice is limited to urban design issues, and does not address ESD, amenity or heritage, for example.

## Attachment 7 - PLN17/0048 - 2 Reserve Street Carlton North - Engineering comments



## MEMO

**To:** Nish Goonetilleke  
**From:** Artemis Bacani  
**Date:** 21 June 2017  
**Subject:** Application No: PLN17/0048  
 Description: Construction of a Three-Storey Dwelling  
 Site Address: 2 Reserve Street, Carlton North

I refer to the above Planning Application received on 22 May 2017 in relation to the proposed development at 2 Reserve Street, Carlton North. Council's Engineering Services unit provides the following information:

**DEVELOPMENT LAYOUT DESIGN****Layout Design Assessment**

Item	Assessment
<b>Access Arrangements</b>	
Vehicle Access – Reserve Street	The garage is accessed off Reserve Street. A site inspection revealed that the east footpath and carriageway have a combined width of approximately 7.98 metres wide.
Doorway width of Garage	The doorway width is 4.86 metres.
Existing Vehicle Crossing	A site inspection revealed that the existing vehicle crossing is approximately 4.45 metres wide.
Setback Area for Garage	The garage is setback 1.0 metre from the edge of the western property line.
<b>Car Parking Modules</b>	
Internal Dimension of Garage	The internal dimension of the garage that is shown in the drawings is 5.76 metres wide by 5.86 metres depth. The width and depth of the southern side of the garage is slightly reduced due to the proposed step on the south-east corner of the garage.

## Attachment 7 - PLN17/0048 - 2 Reserve Street Carlton North - Engineering comments

### Design Items to be Addressed

Item	Details
<b>Existing Vehicle Crossing</b>	<p>The position of the existing vehicle crossing must be shown on the <i>Proposed Ground Floor</i> plan.</p> <p>It is recommended for the existing vehicle crossing to be widened to the same width as the garage doorway.</p>
<b>Setback Area for Garage</b>	The setback area (inside the property) should be constructed in a different material to the footpath.
<b>Pedestrian Access</b>	The designer must show on the plans the grade and length of the internal pedestrian ramp. The ramp grade must be no steeper than 1 in 14.

### Capital Works Programme

A check of the Capital Works Programme for 2016/2017 indicates that no infrastructure works have been approved or proposed within the area of the site at this time.

### IMPACT ON COUNCIL ROAD ASSETS

The construction of the new building, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents and visitors of the site.

### ENGINEERING CONDITIONS

The following items are to be included in the Planning Permit for this site:

#### Civil Works – Reserve Street

- Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Reserve Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the developer's expense.

#### Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

#### Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

**Attachment 7 - PLN17/0048 - 2 Reserve Street Carlton North - Engineering comments**

**NON-PLANNING ADVICE FOR THE APPLICANT**

Legal Point of Discharge

- The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations 2006* from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act 1989* and Regulation 610.

Regards

Artemis Bacani  
Roads Engineer  
Engineering Services Unit

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