

Residential amenity assessment including the ResCode Matrix (Clause 54)

Neighbourhood Character		Clause 54.02
Title & Objective & Standard	Compliance	
<p>A1 Neighbourhood Character Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Design responds to features of the site and surrounding area.</p> <ol style="list-style-type: none"> 1. Appropriate design response to the neighbourhood and site. 2. Design respects the existing or preferred neighbourhood character & responds to site features. 	<p>✓ Complies</p> <p>Comments:</p> <p>The design respects the character of the area. See Section 11.1 of this report</p>	
<p>A2 Integration with Street Integrate the layout of development with the street.</p> <ol style="list-style-type: none"> 1. Dwelling oriented to front of the street. 2. High fences avoided where practicable. 3. Dwellings designed to promote the observation of abutting streets / public open spaces. 	<p>✓ Complies</p> <p>Comments:</p> <p>The dwelling would be orientated to face Pickles Street.</p>	

Site Layout and Building Massing		Clause 54.03
Title & Objective & Standard	Compliance	
<p>A3 Street Setback Setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p> <ol style="list-style-type: none"> 1. Walls of buildings should be setback from streets at least the distance specified in the schedule to the zone or <ul style="list-style-type: none"> ▪ If no distance is specified as outlined below. ▪ Existing building on both the abutting allotments facing the same street & site is not on a corner. Min front setback = average setback of existing buildings on abutting allotments 	<p>* Does not comply Variation Required.</p> <p>Comments:</p> <p>The setback of the dwelling to the north (No. 43 Tribe St) is 2.44 m The setback of the dwelling (No. 126 Pickles St) to the south is 4.86 m.</p> <p>The average of the two setbacks is 3.65 m.</p> <p>The proposal would be setback 4.14 m at ground floor level and 3.416 m at first floor level.</p>	

<p>facing the front street or 9m, whichever is the lesser.</p> <p>2. Existing building + vacant site either side of the subject site facing the same street & site is not on a corner. Min front setback = same setback of front wall of existing building or 9m, whichever is the lesser.</p> <p>1. There is no existing building on either of the abutting allotments facing the same street & site is not on a corner Min front setback = 6m in RDZ1 & 4m for other streets.</p> <p>2. The site is on a corner</p> <ul style="list-style-type: none"> ▪ If there is a building on the abutting allotment facing the front street Min front setback = same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9m, which ever is the lesser. ▪ If there is no building on the abutting allotment facing the front street, 6m from street in RDZ1 and 4m for other streets <p>Min setback from side street = same setback of existing building or 2m, whichever is the lesser.</p>	<p>As such, the proposal would require a variation to the standard due to the first floor level, which overhangs the ground floor.</p> <p>In this case the proposed variation is only 0.23 m. It is noted that this section of Pickles Street has a range of front setbacks from 3.0 m to 4.8 m. A such, the proposed variation would be in keeping with the existing streetscape and therefore the variation is considered to be acceptable.</p>
<p>A4 Building Height Building height respects the existing or preferred neighbourhood character.</p> <p>1. The maximum building height should not exceed that specified in the schedule to the zone. Where no maximum height is specified, the height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site of the building is 2.5 degrees or more, in this case max height not to exceed 10m.</p> <p>2. Changes of building height should be graduated between new and existing buildings.</p>	<p>Complies</p> <p>Comments:</p> <p>The proposed additions would have an overall building height of 7.38 m.</p>
<p>A5 Site Coverage Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>* Does not comply Variation Required.</p> <p>Comments:</p>

<p>1. Buildings should not exceed 60% of the site covered, unless otherwise specified in a schedule to the zone.</p>	<p>The proposal would result in a site coverage 60.97%. This does not meet the minimum requirement of this Standard. The proposal seeks a variation of 0.97%.</p> <p>In this case the variation is considered to be acceptable as many of the surrounding properties have a high level of site coverage. As such the proposal would be in keeping with the existing neighborhood character.</p> <p>On this basis the proposed variation is considered to be acceptable.</p>
<p>A6 Permeability Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p> <p>1. Site should not be covered by any more than 20% of impervious surface.</p>	<p>Complies</p> <p>Comments:</p> <p>The proposal would result in over 34.27% of the site being permeable surfaces.</p>
<p>A7 Energy Efficiency Protection Achieve and protect energy efficient dwellings. Ensure the development's orientation and layout reduce fossil fuel energy use and makes appropriate use of daylight and solar energy.</p> <p>1. Orientation of buildings should make appropriate use of solar energy. 2. If practicable the living areas and private open space are to be located on the north side. 3. Solar access for north-facing windows should be maximised. 4. Siting and design of buildings should not reduce the energy efficiency of adjoining buildings. 5. Sited and designed to ensure that the performance of exiting roof top solar energy facilities on dwellings on adjoining lots are not unreasonably reduced.</p>	<p>✓ Complies</p> <p>Comments:</p> <p>The site is orientated east to west. The living areas would receive good northern access via windows along the north facing windows and the and secluded private open space would be to the rear of the dwelling and would receive good northern access.</p> <p>There are no solar energy facilities on the adjoining lots.</p>
<p>A8</p>	<p>- N/A</p> <p>Comments:</p>

<p>Significant Trees Development respects the landscape character of the neighbourhood and retains significant trees on site.</p> <ol style="list-style-type: none"> 1. Provide for the retention or planting of trees, where these are part of the neighbourhood character. 2. Replace significant trees removed in 12 months prior to application. 	<p>The proposal would not include the removal of any significant trees.</p>
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Amenity Impacts

Clause 54.04

Title & Objective & Standard	Compliance
<p>A10 Side and Rear Setbacks To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ol style="list-style-type: none"> 1. At least the distance specified in a schedule to the zone, or 2. If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 3. Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard. <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>✓ Complies</p> <p><u>Northern Elevation (side setback) – complies</u></p> <p>Proposed height = 6.08 m increasing to 6.15. Proposed setback = 2.03 m increasing to 3.5 m Required setback = 1.74 m increasing to 1.77 m.</p> <p>The proposed side setback exceeds the requirements of this Standard.</p> <p><u>Eastern Elevation (rear setback) – complies</u></p> <p>Proposed height = 7.239 m. Proposed setback = 6.00 m Required setback = 2.33 m</p> <p>The proposed rear setback exceeds the requirements of this Standard.</p> <p><u>Southern Elevation (side setback) – Complies</u></p> <p>Proposed height = 6.12 m increasing to 6.76 m. Proposed setback = 1.758 m and 2.09 m Required setback = 1.756 m and 1.95 m.</p>

	<p>The proposed side setback meets/ exceeds the requirements of this Standard.</p> <p>All other walls are located on the boundary. See below.</p>
<p>A11 Walls on Boundaries</p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in a schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ol style="list-style-type: none"> 1. 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or 2. Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 3. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary. 4. The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. 	<p>* Does not comply Variation Required</p> <p><u>North Elevation</u> <u>-Does not comply</u> Length of wall proposed = 10.12 m Recommended maximum length of wall = 15.33 m Height of wall proposed = 3.08 and 3.55 m.</p> <p>The proposal seeks a variation to the height requirement of this Standard on the northern elevation.</p> <p>The variation to the height requirement is considered to be acceptable, as the section of wall with a height in excess of 3.2m would be opposite the car port and single storey building of No. 43 Tribe Street. Given that the wall would not be opposite an area of secluded private open space or a habitable room window, there would be no loss of amenity from this variation to the Standard.</p> <p>As such, there would be no loss of amenity from the variation to this Standard.</p> <p><u>South Elevation</u> <u>-Does not comply</u> Length of wall proposed = 20.18 m Recommended maximum length of wall = 15.33 m Height of wall proposed = 3.15 m</p> <p>The proposal seeks a variation to the length requirement of this Standard on the southern elevation.</p> <p>The variation to the length requirement is considered to be acceptable. In this case the whole wall would be 3.15 m in height</p>

<p>Note: A building on a boundary includes a building set back up to 200mm from a boundary.</p>	<p>which is below the maximum of 3.2 m. Furthermore, most of the wall would be opposite a service area and car port of No. 126 Pickles Street. Whilst some of the wall would be opposite secluded private open space, it would have a height of 3.15 m.</p> <p>As such, there would be no loss of amenity from the variation to this Standard.</p>
<p>A12 Daylight to Existing Windows Allow adequate daylight into existing habitable room windows.</p> <ol style="list-style-type: none"> Buildings opposite an existing habitable room window should provide a light court of at least 3 sqm and a minimum of 1m clear to the sky. (Calculation area may include abutting lot). Walls and carports of more than 3m should be setback from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. Refer to 54.04-3 for further clarification (a diagram is included). 	<p>✓ Complies</p> <p>Comments:</p> <p>There are existing windows on No. 126 Pickles street facing the subject site. The proposal would have a ground floor wall on the boundary with a height of 3.15 m above natural ground level. This wall would comply with the requirements of this Standard. The proposal also includes a two storey wall, setback from the boundary, with a height of 5.77 m above natural ground level. Under this Standard this wall should be setback 2.89 m from the window on the adjoining property. The first floor would be setback 4.3 m from the window facing the subject site at No. 126 Pickles Street. This exceeds the requirements of this Standard.</p>
<p>A13 North Facing Windows Allow adequate solar access to existing north-facing habitable room windows.</p> <ol style="list-style-type: none"> Building should be setback 1m if an existing north-facing habitable room window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.) Refer to 54.04-4 for further clarification (a definition of a north facing window and a diagram is included). 	<p>* Does not comply Variation Required</p> <p>Comments:</p> <p>There is one north facing habitable room window at No. 126 Pickles Street. The proposal would have a wall height of 5.77 m opposite this window. Under this Standard the wall should be setback 2.32 m from the shared boundary. In this case the proposal would be setback 2.1 m, but would be 4.11 m from the habitable room window.</p> <p>In this case the variation is considered to be acceptable as it is relatively minor, being 0.21 m. Furthermore, it is noted that the current two storey dwelling is opposite this</p>

	<p>window and the first floor currently has less of a setback to the shared boundary than the proposal. As such, the proposal would provide for a better northern daylight access over the existing conditions. On this basis, the proposed variation is considered to be acceptable.</p> <p>There are two north facing habitable room windows at No. 24 Little Boundary Street that face the subject site. However, the proposed development would not be built in front of these windows. As such, the proposal complies with the Standard to these windows.</p>
<p>A14 Overshadowing Open Space Ensure buildings do not unreasonably overshadow existing secluded private open space.</p> <p>1. Where sunlight to the secluded private open space of an existing dwelling is reduced at least 75% or 40sqm with min. dimension of 3m, whichever is the lesser area, the secluded private open space should receive a min. of 5 hours of sunlight between 9am and 3pm on 22 September</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>* Does not comply Variation Acceptable, subject to condition.</p> <p>Comments:</p> <p><u>No. 126 Pickles Street 40.55 sqm of SPOS</u></p> <p><u>9 am</u> Existing Shadows – 15.17 m² / 37.41 % Proposed Shadows – 22.71 m² / 56 % Remaining Daylight – 17.84 m² / 44 %</p> <p><u>10 am</u> Existing Shadows – 13.84 m² / 34.13 % Proposed Shadows – 23.6 m² / 58 % Remaining Daylight – 16.95 m² / 42 %</p> <p><u>11 am</u> Existing Shadows – 14.12 m² / 40.55 % Proposed Shadows – 21.42 m² / 53 % Remaining Daylight – 19.31 m² / 47 %</p> <p><u>Midday</u> Existing Shadows – 15.73 m² / 38.79 % Proposed Shadows – 19.69 m² / 49 % Remaining Daylight – 20.86 m² / 51 %</p> <p><u>1 pm</u> Existing Shadows – 17.29 m² / 42.63 % Proposed Shadows – 17.63 m² / 43.5 % Remaining Daylight – 22.92 m² / 56.5 %</p> <p><u>2 pm to 3 pm</u></p>

	<p>No additional shadow.</p> <p>The proposal would not meet the minimum requirement of this Standard in relation to the sunlight to the SPOS of No. 126 Pickles Street.</p> <p>In this case the variation is considered to be acceptable. The adjoining SPOS is located to the south of the subject site and almost any two storey development is likely to result in some additional shadow due to orientation of the site and the widths of the lots. In addition to this, it is noted that the first floor setbacks meets, and slightly exceeds, the side setback requirements of Standard A10, and as such the proposal has attempted to respond to the adjoining property. Again, given the highly urbanised context of the site and surrounds, meeting the Standards of ResCode is not always possible and VCAT have often determined that it would be unreasonable to do so. It is also noted that at 1pm the total additional shadow is only 0.34 sqm, which would be imperceivable, and no shadow would occur after this time. It is also noted that much of the proposed shadow would fall where the existing tree (to be removed) already casts a shadow. As such, there would be limited additional shadowing over the exiting conditions of the site.</p> <p>In addition to the above, it should also be noted that the secluded private open space of the adjoining property has been significantly reduced, due to the subdivision of the site and development of the dwelling to the rear. The remaining SPOS has a large area covered by roofs. Notwithstanding this, the proposal could be modified to reduce some of the additional shadow, without significant impact on the overall design and levels of living accommodation. The setback to the southern boundary could be increased, for the WIR, to match the rest of the first floor and be 2.09 m. This proposed modification would help to reduce the overall amount of shadow produced.</p> <p>On this basis the variation of the Standard is not considered to be unreasonable.</p>
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	<p>If the remainder of the application is considered to be acceptable, a condition would require the first floor setback of the en-suite and walk in robe to be increased by 0.322 m to the southern boundary. (Refer Condition 1c)</p> <p><u>No. 24 Little Boundary Street 34.91 sqm of SPOS</u> - <u>Complies</u></p> <p><u>9 am</u> Existing Shadows – 30.47 m² / 87.28 % Proposed Shadows – 32.87 m² / 94.2 % Remaining Daylight – 2.04 m² / 5.8 %</p> <p><u>10 am</u> Existing Shadows – 22.36 m² / 64.05 % Proposed Shadows – 25.96 m² / 74.4 % Remaining Daylight – 8.95 m² / 25.6 %</p> <p><u>11 am</u> Existing Shadows – 13.1 m² / 37.25 % Proposed Shadows – 16.45 m² / 47.2 % Remaining Daylight – 18.46 m² / 52.8 %</p> <p><u>Midday</u> Existing Shadows – 10.91 m² / 31.2 % Proposed Shadows – 15.82 m² / 45.3 % Remaining Daylight – 19.09 m² / 54.7 %</p> <p><u>1 pm</u> Existing Shadows – 7.2 m² / 20.62 % Proposed Shadows – 13.7 m² / 39.2 % Remaining Daylight – 21.21 m² / 60.8 %</p> <p><u>2 pm</u> Existing Shadows – 7.0 m² / 20.00 % Proposed Shadows – 14.22 m² / 40.7 % Remaining Daylight – 20.69 m² / 59.3 %</p> <p><u>3 pm</u> Existing Shadows – 6.4 m² / 18.39 % Proposed Shadows – 12.96 m² / 37.1 % Remaining Daylight – 21.95 m² / 62.9 %</p>
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	<p>The proposal would result in additional shadow for each hour between 9 am to 3 pm. This increase ranges from 2.4 sqm to 7.22 sqm. Much of this shadow is produced by the rear wall and roller door. This is shown to be 3.5 m high, which is excessive for a rear boundary wall. If the remainder of the application is considered to be acceptable, a condition would require the rear wall and roller door to be reduced to 1.8 m high for the wall sections and 3.2 m high for the roller door. (Refer Condition 1b).</p>
<p>A15 Overlooking Limit views into existing secluded private open space and habitable room windows.</p> <ol style="list-style-type: none"> 1. A habitable room window, balcony, terrace, deck or patio with a direct view into an existing habitable window within a horizontal distance of 9m should have either: <ul style="list-style-type: none"> ▪ A minimum offset of 1.5m from the edge of the window to the edge of the other. ▪ Sill heights of at least 1.7m above floor level. ▪ Obscure glazing in any part of the window below 1.7m above floor level. ▪ Permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent. 2. Obscure glazing to 1.7m above floor level may be openable if there are no direct views as specified in this standard. 3. Screens to obscure view should be: <ul style="list-style-type: none"> ▪ Perforated panels or trellis with solid translucent panels or a maximum 25% openings. ▪ Permanent, fixed and durable. ▪ Blended into the development. <p>Refer to 55.04-4 for further clarification (a diagram is included).</p> 	<p>* Does not comply Condition Required.</p> <p>Comments:</p> <p>At ground floor level the boundary fence would prevent views into the adjoining property.</p> <p>At first floor level there would be windows along the northern and southern (side) elevations and the rear elevation.</p> <p>It is noted that there is secluded private open space and habitable room windows within 9 m of the side and rear boundaries.</p> <p><u>North Elevation</u></p> <p>Along the northern elevation are windows to bedroom 3, laundry, stairs and master bedroom. The window to bedroom 3 and the laundry would look over the front garden and car port of No. 43 Tribe Street. The windows to the stairs would be opposite the secluded private open space of No. 41 Tribe Street. Whilst stairs are not a habitable room, the rumpus room behind the stairs would be within 9m of the secluded private open space of No. 41 Tribe Street. If the remainder of the application is considered to be acceptable a condition would require the applicant to demonstrate that no direct views into the secluded private open space of No. 41 Tribe Street to a height of 1.7m above natural ground level, is possible from this</p>

	<p>window, otherwise the window to be treated to prevent overlooking. (Refer Condition 1a).</p> <p>Again, the master bedroom window is within 9m of the secluded private open space of No. 41 Tribe Street. If the remainder of the application is considered to be acceptable a condition would require the applicant to demonstrate that no direct views into the secluded private open space of No. 41 Tribe Street to a height of 1.7m above natural ground level, is possible from this window, otherwise the window to be treated to prevent overlooking. (Refer Condition 1a).</p> <p><u>South Elevation</u></p> <p>On the southern elevation there are windows to bedroom4, bathroom,, rumpus and en-suite. Of these windows, bedroom 4 and the bathroom, would overlook the front garden and driveway of No. 126 Pickles Street. The remaining windows would be obscured and fixed shut to a height of 1.7 m above finished floor level.</p> <p>On the rear elevation would be a window to the master bedroom. This window would be more than 9m to the habitable room windows facing the rear of the site at No. 22 Little Boundary Street.</p>
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On-Site Amenity and Facilities		Clause 54.05
Title & Objective & Standard	Compliance	
<p>A16 Daylight to New Windows Allow adequate daylight into new habitable room windows.</p> <p>1. A habitable room window should be located to face:</p> <ul style="list-style-type: none"> ▪ An outdoor space with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot. ▪ A verandah with at least one third of its perimeter open. 	<p>✓ Complies</p> <p>Comments:</p> <p>All proposed windows would be provided with the minimum required 1.0 metre dimension and 3.0 square metre area required by this standard.</p>	

<ul style="list-style-type: none"> ▪ A carport with two or more open sides and is open for at least one third of its perimeter. 	
<p>A17 Private Open Space Provide adequate private open space for the recreation and service needs of residents.</p> <p>1. Unless specified in the schedule to the zone, a dwelling should have private open space of at least:</p> <ul style="list-style-type: none"> ▪ 80sqm or 20% of the area of the lot, whichever is the lesser, but not less than 40sqm. ▪ At least one part of the private open space should have a min. area of 25sqm with a min. 3m at the side or rear of the dwelling with convenient access from a living room. 	<p>✓ Complies</p> <p>The proposal would have 33 sqm of secluded private open space to the rear of the dwelling with direct access to the living area. There would be a further 40 sqm of open space to the front of the dwelling. This would exceed the requirements of this Standard.</p>
<p>A18 Solar Access to Open Space Allow solar access into secluded private open space of a new dwelling.</p> <p>1. The private open space should be located on the north side of the dwelling if practicable.</p> <p>2. Southern boundary of open space should be setback from any wall on the north side of space by a minimum of 2m + 0.9 x wall height.</p>	<p>✓ Complies</p> <p>Comments:</p> <p>The secluded private open space would be at ground floor level to the rear of the building, and would receive good northern access.</p>

Detailed Design

Clause 54.06

Title & Objective & Standard	Compliance
<p>A19 Design Detail Encourage design detail that respects the existing or preferred neighbourhood character.</p> <p>1. Design of buildings should respect the existing or preferred neighbourhood character and address:</p> <ul style="list-style-type: none"> ▪ Façade articulation & detailing. ▪ Window and door proportions. 	<p>✓ Complies</p> <p>Comments:</p> <p>The proposed dwelling respects the existing neighbourhood character through a contemporary design that contributes to the diverse streetscape of this section of Pickles Street.</p>

<ul style="list-style-type: none"> ▪ Roof form. ▪ Verandahs, eaves and parapets. <p>2. Garages and carports should be visually compatible with the development and neighbourhood character.</p>	
<p>A20 Front Fences Encourage front fence design that respects the existing or preferred neighbourhood character.</p> <ol style="list-style-type: none"> 1. The front fence should complement the design of the dwelling or any front fences on adjoining properties. 2. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone. If no schedule is specified, the front fence should not exceed: <ul style="list-style-type: none"> • 2m if abutting a RDZ1 • 1.5m in any other streets. 	<p>✓ Complies</p> <p>Comments:</p> <p>The proposal would have a 1.2 m high front fence which meets the requirements of this Standard.</p>