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# CLAUSE 55 ASSESSMENT (RESCODE REPORT)

02 AUG  
2024

26 Erskine Avenue, Reservoir  
VIC 3073

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The proposal is for the construction of FOUR (4) double storey units on an allotment.

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

**THE PROPOSAL**

The proposal is for the construction of FOUR (4) double-storey units on an allotment of approximately 703m<sup>2</sup> with 15.24m frontage and length of 46.39m.

**PLANNING SCHEME PROVISIONS**

The proposed site and surrounding land are under General Residential Zone – Schedule 1 (GRZ1) of Darebin Planning Scheme. Development Contributions Plan Overlay – Schedule 1 (DCPO1).

The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework
- To encourage residential development that respects the neighbourhood character.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**STATE PLANNING POLICY FRAMEWORK**Clause 15 Built Environment and Heritage

## 15.01 Urban Environment

## Objectives

- ✓ To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.
- ✓ To achieve architectural and urban design outcomes that contribute positively to the local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

## Responses

- ✓ The proposed site is facilitated by numerous services within proximity to the site; being within walking distance to the main bus route, major shopping hub, local restaurants, shops, schools, and parks.
- ✓ This proposal will facilitate urban consolidation in an established urban area and will contribute to the improved usage of existing services and facilities.
- ✓ The design has the scale and built form corresponding with the adjoining dwelling. The proposed design incorporates many areas for landscaping to achieve the desired green feeling, giving the dwellings an organic ambiance.
- ✓ Minimum impact of car parking and the dominant of garages from the street.
- ✓ The form and height are comparable with other developments in this neighbourhood, the styling and design will complement new developments and add value to the character of the street.

## 15.02 Sustainable development

## Objective

To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

## Responses

- ✓ Architectural responsive to orientation; maximum northern winter sunlight into living spaces while blocking the hot summer sun. Providing cross ventilation for cooling and providing healthy air for the occupants.
- ✓ A minimum 7-star energy rating reducing energy consumption via construction methods such as concrete slab, some double-glazed windows & bulk insulation.
- ✓ Provision of raingarden for stormwater solution and/or solar hot water to utilize solar energy.

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

Clause 16 Housing

## 16.01 Residential development

## Objectives

- ✓ To promote a housing market that meets community needs.
- ✓ To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.
- ✓ To provide for a range of housing types to meet increasingly diverse needs.
- ✓ To deliver more affordable housing closer to jobs, transport, and services.

## Responses

- ✓ The proposed double-storey dwellings are designed with features to respect the existing neighbourhood character while responding in a contemporary manner. Also provides a diversity of housing type due to its design layout and features
- ✓ Existing infrastructure will be utilised
- ✓ energy efficient form of development from a size point of view, encouraging people to live in a more condensed environment
- ✓ 4 dwellings in place of is a step towards catering the response to population projections which indicate a continuing need for accommodation for smaller households and families.

Clause 18 Transport

## Objective

- ✓ To create a safe and sustainable transport system by integrating land-use and transport.

## Responses

- ✓ The proposal is well situated for bus transportation.
- ✓ The proposal is within walking distance to shopping strips, schools, and parks
- ✓ Required car spaces per dwelling have been provided on site which will minimise street parking.

**DREBIN NEIGHBOURHOOD CHARACTER GUIDELINE: F5\_Postwar**

## Objectives

- Encouraging more contemporary architectural styles in streets that have few period dwellings. These buildings must adopt the predominant scale, form and setbacks of their streetscape context, while showing design innovation.
- Retaining quality Postwar dwellings that contribute to the valued character of the area.
- Respecting the predominant height and setbacks of nearby buildings.
- Maintaining the predominant single storey scale of building frontages of the area
- Keeping front fences medium to low height and preferably transparent.
- Ensuring that building materials and colours blend in with the predominant character of the streetscape.
- Ensuring that adequate space around dwellings is retained for planting of substantial trees and shrubs.
- Maintaining consistent frontage and side setbacks.

## Responses

## Vegetation

- ✓ The development proposed a low, formal, and well-established garden with lawn areas,
- ✓ Canopy trees are provided in the front garden, large shrubs in the rear garden.
- ✓ Screen planting is provided along the side and rear boundaries where possible.

## Siting

- ✓ The proposed front setback is within the context which can accommodate for substantial landscaping.
- ✓ Canopy trees provided in the private open space where possible
- ✓ Side boundary is setback to respond appropriately to the rhythm of dwelling spacing in the street.
- ✓ One common driveway. Garage and carport are behind the line of the front façade.

## Height and building form

- ✓ The development has an overall average height of less than 7.8m at the worse point
- ✓ Double storey-built form respects and integrates the predominant heights on the street.

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

- ✓ The built form is designed and articulated to avoid bulky visual impact from the street, to avoid dominating the adjoining and rear neighbouring properties.
- ✓ The façade is carefully designed to accommodate appropriate setbacks with porches, openings, and windows to prevent a monotonous streetscape.
- ✓ Contemporary design details are added to the development to distinguish between the historic and existing detailing of the surrounding area.
- ✓ The development proposes skillion roofs – a contemporary approach yet inspired by several recent developments in the neighbourhood. Eaves are still substantially provided for sun protection as well as adopting the prominent roof types in the neighbourhood.

**Materials and design detail**

- ✓ The development adapts and respects the predominant materials of the neighbourhood, including bricks and lightweight claddings.
- ✓ Light finishes and a neutral colour palette with suitable feature lightweight claddings are selected to emphasise architectural details while paying tribute to the neighbourhood's characters.
- ✓ Whilst there are two different materials and colours on the first floor, they both belong to the similar shades of the predominant materials and colours found in the area.
- ✓ Some darker-coloured elements are included in the proposal, but they do not disrupt the neighbourhood characteristics as similar-toned elements and walls can be found on residences across the street.

**Front boundary treatment**

- ✓ 50% transparent front steel fences are proposed, keeping the streetscape open and enabling views of the dwellings and the garden.
- ✓ Low front fence.
- ✓ The choice of fencing is not foreign to the area, providing an appropriate level of privacy without creating unsafe spaces along the street.

**52.06 Car Parking**

**Objectives:** To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework. To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. To support sustainable transport alternatives to the motor car. To promote the efficient use of car parking spaces through the consolidation of car parking facilities. To ensure that car parking does not adversely affect the amenity of the locality. To ensure that the design and location of car parking are of a high standard, creates a safe environment for users and enables easy and efficient use.

**Response:** 2 car spaces for each 4-bedroom dwelling (either 1 car space and 1 garage or 1 double garage). The development also proposes potential on-street parking for visitor.

**55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE****55.01-1 NEIGHBOURHOOD AND SITE DESCRIPTION**

The proposed developments are in a quiet sub-urban street closed to reserves, schools, public transports, local shops, and restaurants.

Typical grid street patterns and flat topography.

Street setback varied from **3.0 m** to **9.0 m**.

Variety of housing type in the area; single and two storey houses, townhouses, and modern apartment buildings.

Hip roof forms are dominant along both streets with a range of cladding materials, with a majority are brick facades.

Variety of materials finishes and colours; brick and renders.

**DESIGN RESPONSE- CLAUSE 55.01-2**

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

The proposal is a legitimate response to housing consolidation, diversity, affordability and good design policies, the design performs well against clause 55 in assessment of development comprising two or more dwellings on a lot.

The form and height are comparable with other developments in this neighbourhood, the styling and design will compliment new developments and add value to the character of the street.

The accommodation on offer will be relatively compact, but comfortable providing a good balance of indoor and outdoor amenity in a location so close to public transport and community facilities and services. (Refer to site context plan for further information)

Overlooking of adjoining properties minimized through use of privacy screens, obscured glazing and highlight windows along with specific location of windows.

The use of northern sun to private open space and living areas has been maximized.

Opportunities for landscaping at the site are good and will ensure a positive long-term contribution to the character of the neighbourhood.

Over shadowing is minimized by neighbours dwelling setback along with location of first floors set further back from the property boundaries.

Development density is appropriate due to site location, being within proximity to all facilities, such as public transport, shopping and local schools. Development will improve existing neighbourhood character.

The setback of the development is complementary of the setbacks of other dwellings in the street. Wall boundaries are designed with minimal impact on adjoining properties. Clotheslines concealed in rear yards away from public view and plenty of storage areas designed within the dwellings.

## **55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE**

### **NEIGHBOURHOOD CHARACTER OBJECTIVE- CLAUSE 55.02-1**

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that the design responds to the features of the site and the surrounding area.

#### **Standard B1\_Neighbourhood character**

Objectives: The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Response to objectives: Appropriate design responses to the neighbourhood and site. The design respects the existing or preferred neighbourhood characters & responds to site features.

#### **Standard B2\_Residential policy**

Objectives: To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Response to objectives: The application to be accompanied by written statement that explains consistency with relevant housing policy in SPPF, LPPF, MSS and local planning policies.

#### **Standard B3\_Dwelling Diversity**

Objectives: To ensure a range of dwelling sizes and types in developments of ten or more dwellings.

Response to objectives: Not applicable due to proposal of less than ten dwellings.

#### **Standard B4\_Infrastructure**

Objectives: Provides appropriate utility services and infrastructure without overloading the capacity.

Response to objectives: Connection to reticulated sewerage, electricity, gas, and drainage services. The capacity of infrastructure and utility services should not be exceeded unreasonably. Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists.

#### **Standard B5\_Integration with the street**

Objectives: Integrate the layout of development with the street

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

**Response to objectives:** The development is orientated to the streets. Vehicle and pedestrian links that maintain and enhance local accessibility. The development next to public open space should be laid out to complement the open space.

### 55.03 SITE LAYOUT AND BUILDING MASSING

#### **Standard B6\_Street setback**

**Objectives:** The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

**Response to objectives:** Request for variation to the standard. Erskine avenue front setback varied from 6.5m to 12m (refer to site analysis). Average of 7.5m (minimum of 7.4) front setback is proposed, of which there are few properties on the street have similar setbacks (No 20 and 22). Our proposed front setback is reasonable as low building scale, landscaped, and well transitioned in between adjoining neighbourhoods.

#### **Standard B7\_Building height**

**Objectives:** Ensure building heights respect the existing or preferred neighbourhood character.

**Response to objectives:** The proposed building height has complied with the standard.

#### **Standard B8\_Site coverage**

**Objective:** Ensure site coverage respects the existing or preferred neighbourhood character and respond to the features of the site.

**Response to objective:** The proposed site coverage complies with the standard of 60%.

#### **Standard B9\_Permeability**

**Objective:** Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.

**Response to objective:** The proposed site permeable surface complies with the standard of 20%.

#### **Standard B10\_Energy Efficiency**

**Objectives:** Achieve and protect energy efficient dwellings and residential buildings. Ensure that orientation and layout reduce fossil fuel energy use and makes appropriate use of daylight and solar energy.

**Response to objectives:** The orientation of buildings should make appropriate use of solar energy. Siting and design of buildings should not reduce the energy efficiency of buildings on adjoining lots. Private open space and living areas are mostly orientated to the north. North facing windows have been maximized for solar access.

#### **Standard B11\_Open space**

**Objectives:** Integrate layout of development with any public and communal open space provided in or adjacent to the development.

**Response to objectives:** Not applicable.

#### **Standard B12\_Safety**

**Objectives:** Ensure layout of the development provides for the safety and security for residents and property.

**Response to objectives:** Entrances to dwellings are readily visible from the street which complies with the standards. Planting will not create unsafe spaces along and streets and access ways. Good lighting, visibility, and surveillance of car parks and internal access ways. Protection of private spaces from inappropriate use as public thoroughfares.

#### **Standard B13\_Landscaping**

**Objectives:** To provide appropriate landscaping which respects the character of the neighbourhood. Encourage of retention of mature vegetation of the site wherever possible.

**Response to objectives:** There are no impediments to the development of a concept that would complement the dwellings and contribute to the landscape character of the area. The plans indicate the potential for canopy trees and complimentary vegetation. Opportunities for landscaping at the site are good and will ensure a positive long-term contribution to the character of the neighbourhood.

#### **Standard B14\_Access**

**Objectives:** Ensure the safe, manageable, and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.

**Response to objectives:** A total of two crossovers are proposed. The design complies with the standards and allows convenient, safe, and efficient vehicle movements with street and dwelling. Access for service, emergency and delivery vehicles provided. New crossover to be constructed, and/ or dowelled into neighbour's crossover to the satisfaction of the relevant authority. Existing vehicle crossover to be remained.

#### **Standard B15\_Parking location**

**Objectives:** Provide resident and visitor vehicles with convenient parking. Avoid parking and traffic difficulties in the development and the neighbourhood. Protect residents from vehicular noise within developments.

Response to objectives: Each dwelling has a secured garage and parking space close to the respective dwellings.

#### **55.04 AMENITY IMPACTS**

##### **Standard B17\_Side and Rear Setbacks**

Objectives: Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.

Response to objectives: The proposed building complies with the standard; on or within 200 mm of a boundary should be setback 1 metre from the side and rear boundary, 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.

##### **Standard B18\_Wall on boundaries**

Objectives: Ensure the location, length, and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.

Response to objectives: Proposed northern wall on boundary comply with the standard. The height and length will quantify to no unreasonable impacts to adjoining neighbours.

##### **Standard B19\_Daylight to Existing windows**

Objectives: Allow adequate daylight into existing habitable room windows. Where walls of the dwellings are being constructed opposite habitable room windows in adjacent dwellings, the walls are sufficiently setback from those windows to exceed the 3m<sup>2</sup> with a minimum 1.0 metre clear to the sky dimension.

Response to objectives: Daylight to all existing habitable room on neighbouring properties is maintained.

##### **Standard B20\_North Facing windows**

Objectives: Allow adequate solar access to existing north facing habitable windows of the adjoining neighbours.

Response to objectives: No unreasonable impact occurs to the adjoining neighbour's habitable windows.

##### **Standard B21\_Overshadowing open space**

Objectives: Ensure buildings do not significantly overshadow existing secluded private open space. At least 75%, or 40sqm with min. 3m, whichever lesser, of the open space should receive a min. of 5 hours of sunlight between 9am and 3pm on 22 September.

Response to objectives: The new dwellings comply with the standard and do not significantly overshadow neighbouring's secluded private open spaces. (Refer to site context plan and shadow plan for further clarification)

##### **Standard B22\_Overlooking**

Objective: Limit views into existing secluded private open space and habitable windows.

Response to objectives: Opportunities to overlook neighbours have been minimized by design wherever possible. Fixed obscured glazing in any part of the window below 1.7m above floor level adopted to any overlooking windows.

##### **Standard B23\_Internal views**

Objective: Limit views into existing secluded private open space and habitable windows of dwellings and residential buildings within the same developments.

Response to objectives: The dwellings have been designed to minimize probabilities of overlooking within the development.

##### **Standard B24\_Noise impact**

Objectives: Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.

Response to objectives: Noise sensitive rooms and private open space have been considered regarding noise sources on immediate property.

#### **55.04 ON-SITE AMENITY AND FACILITIES**

##### **Standard B25\_Accessibility**

Objective: Consider the needs of people with limited mobility in the design of developments.

Response to objective: The ground floors of the dwellings are accessible or able to be easily made accessible to people with limited mobility.

##### **Standard B26\_Dwelling Entry**

Objective: Provide a sense of identity to each dwelling.

PROPOSED DWELLING DEVELOPMENT AT 26 ERSKINE AVENUE,  
RESERVOIR VIC 3073

2024

Response to objectives: All dwellings entry points are readily identifiable from the street. The entries have a sense of personal address and a transitional space.

**Standard B27\_Daylight to New windows**

Objective: Allow adequate daylight into new habitable room windows.

Response to objectives: All windows of habitable rooms have been located to face an outdoor space, which are clear to the sky, therefore comply with this standard.

**Standard B28\_Private open space**

Objectives: Provide reasonable recreation and service needs of residents by adequate private open space. Unless specified in the schedule to the zone, a dwelling should have private open space consisting of 40sqm with one part at the side or rear of the dwelling with a minimum dimension of 4 m, a minimum area of 25sqm and convenient access from a living room.

Response to objectives: All dwellings have private open spaces which either meet or exceed the schedule to the zone requirements.

**Standard B29\_Solar access to open space**

Objective: Allow solar access into the secluded private open space of new dwelling.

Response to objectives: All dwellings have primary private open spaces that will receive direct solar access. Solar access to open spaces is provided in an amount that suits to the usability of those areas. Therefore, the development complies this standard.

**Standard B30\_Storage**

Objective: Provide adequate storage facilities (min. 6 m<sup>3</sup>) for each dwelling.

Response to objectives: All dwellings are provided a minimum of 6 m<sup>3</sup> internal and/or external storage.

## **55.06 DETAILED DESIGN**

**Standard B31\_Design detail**

Objectives: Encourage design detail that respects the existing or preferred neighbourhood character address façade articulation, detailing, window and door proportions, roof form, veranda, eaves and parapets. Garages and carports should be visually compatible with the development and neighbourhood character.

Response to objectives: The design of this medium density development has been composed and detailed that can fit appropriately among other homes and their garden settings. The proposed garages are located and designed to minimize visual bulk from the street front which is compatible with the existing neighbourhood character of the area.

**Standard B32\_Front fences**

Objectives: Encourage front fence design that respects the existing or preferred neighbourhood character. A front fence within 3 metres of a street should not exceed the maximum height specified in the schedule to the zone, or if no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3

Response to objectives: 1.2m high permeable steel front fence with 50% transparency is proposed at the frontage of each dwelling.

**Standard B33\_Common property**

Objectives: Ensure car parking, access areas and other communal open space is practical, attractive, and easily maintained. Avoid future management difficulties in common ownership areas.

Response to objectives: The proposed dwellings have no common spaces.

**Standard B34\_Site services**

Objectives: Ensure site services and facilities can be installed and easily maintained and are accessible, adequate, and attractive.

Response to objectives: Dwelling layout in the design has provided sufficient space and facilities for services to be installed and maintained. Bin and clothesline area has been provided. Mailboxes provided and located for convenient access as required by Aus Post.