

## RESCODE Clause 54: One dwelling on a lot

### ASSESSMENT for NEW DWELLING: 13 ETHEL STREET, EAST BRUNSWICK

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Advertised Document  
Advertised Report - 10 Pages  
Application No: MPS/2025/354  
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#### CLAUSE 54.01

#### NEIGHBOURHOOD & SITE DESCRIPTION & DESIGN RESPONSE

An application must be accompanied by:

- A Neighbourhood and site description.
- A Design Response

##### CLAUSE 54.01-1 Neighbourhood And Site Description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

##### • In relation to the neighbourhood:

- The built form, scale and character of surrounding development including front fencing.
- Architectural and roof styles.
- Any other notable features or characteristics of the neighbourhood.

##### • In relation to the site:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Any contaminated soils and filled areas, where known.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

✓ **Complies**

##### Comments

The subject property is currently an undeveloped, cleared block of land.

A simple carport structure exists on the land; a driveway leading to the carport is served by an existing street crossing onto Ethel St.

Two canopy trees are immediately adjacent to the carport.

A dilapidated timber shed and outbuilding is sited on the rear portion of the southern boundary.

The surrounding area is generally typified by originally single storey timber cottages with pitched metal deck roofs, gable ends and shallow verandah structures. Many of these cottages have been previously altered, and some have been cleared to make way for larger, two storey contemporary homes. The prevalent cottage style of the area is no longer uniquely evident in the street (and surrounding streets).

To the south of the subject property an existing, very dilapidated single storey residence is now scheduled for demolition - a redevelopment proposal for the site, to construct two double storey townhouses on that site was approved by council mid-2017.

The immediate adjoining properties to the subject site all have outbuildings constructed abutting the rear portions of the subject land. The property to the north has a continuous weatherboard wall built to the common boundary. The development proposal for the site to the south includes a continuous boundary wall for most of the shared boundary.

A Site Description Plan is included as part of the drawing submission.

CLAUSE 54.01-2 Design Response		
<p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> <li>Derives from and responds to the neighbourhood and site description.</li> <li>Meets the objectives of Clause 54.</li> <li>Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.</li> </ul> <p>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.</p>		<p>✓ <b>Complies</b></p> <p><b>Comments</b> The proposed building design:</p> <ul style="list-style-type: none"> <li>retains the existing arrangement of street crossing / driveway / carparking area</li> <li>integrates the façade design so that the Garage door is an integral part of the street façade. The door reads as part of the front wall and is not apparent of its functional use as a Garage area.</li> <li>an existing canopy tree at the street frontage <b>is proposed to be demolished and replaced with a new canopy tree</b></li> <li>the façade is expressed with a pitched roof form that references and reproduces the form and rhythm of pitched roof cottage forms of the existing area</li> <li>the proposed setback of the building sits between the existing building to the north, and the southern property condition of existing house (2.6 metre setback) and proposed development (3 metre setback)</li> </ul> <p>A Design Response Plan is included as part of the drawing submission.</p>

CLAUSE 54.02 NEIGHBOURHOOD CHARACTER		
CLAUSE 55.02-1 Neighbourhood Character		
<p><b>Objectives</b> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that the design responds to the features of the site and the surrounding area.</p> <p>.</p>	<p><b>Standard A1</b></p> <ul style="list-style-type: none"> <li>The design response <b>must</b> be appropriate to the neighbourhood and the site.</li> <li>The proposed design <b>must</b> respect the existing or preferred neighbourhood character and respond to the features of the site.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b> The proposed building design:</p> <ul style="list-style-type: none"> <li>respects the generally single dwelling structure per allotment (though this has already altered on a number of adjoining sites)</li> <li>presents to the street primarily as a single storey scale building</li> <li>the pitched roof form reflects the cottage roofscape forms of the area and is also used to present the building as a smaller scale structure</li> <li>retains the existing site usage of carparking in the location as shown. Unlike other adjacent properties, old and new, the carparking area is both screened from the street and integrated to the overall building form so that it is not evident to the street view as a carparking area</li> <li>the two storey building form is located within the centre of the site, and screened to the street view by the front facade</li> <li>side setbacks to the proposed development to the south generally respect the required Rescode setback line</li> <li>the building form angles down to the rear of the property</li> </ul>
CLAUSE 54.02-2 Integration with the street		
<p><b>Objectives</b> To integrate the layout of development with the street.</p> <p>.</p>	<p><b>Standard A2</b></p> <ul style="list-style-type: none"> <li>Dwellings should be orientated to front existing and proposed streets</li> <li>High fencing in front of dwellings should be avoided if practicable.</li> <li>Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b> In this proposal:</p> <ul style="list-style-type: none"> <li>the house has a front orientation directly to Ethel St</li> <li>the front room at Level 1 has a window looking onto Ethel St</li> <li>the front entry screen and gate allows view / surveillance of the frontage from within the house.</li> </ul>

		<ul style="list-style-type: none"> <li>- the front of the site is unfenced</li> <li>- an existing canopy tree in the front, south east corner of the site <b>is to be demolished and replaced with a new canopy tree</b></li> <li>- the driveway is designed with feature paving and landscaping to extend a</li> </ul>
<b>CLAUSE 54.03</b> <b>SITE LAYOUT AND BUILDING MASS</b>		
<b>CLAUSE 54.03-1 Street setback</b>		
<b>Objective</b> To ensure that setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site	<b>Standard A3</b> Walls of buildings <u>should</u> be setback from streets the distance specified in Table A1 as follows: <ul style="list-style-type: none"> <li>• Where there are existing buildings on both abutting lots facing the same street, and the site is not on a corner, the average distance of front walls of existing adjacent buildings facing the same street or 9m, whichever is lesser.</li> <li>• Where there is an existing buildings on one abutting lot facing the same street, and no existing building on the other abutting lot facing the same street and the site is not on a corner, the same distance as the front wall of the existing adjacent building or 9m, whichever is lesser.</li> </ul> <b>Note 1:</b> for a corner lot, the frontage or front street is the smaller frontage. For lots with equal frontage to two streets, the Council may nominate the frontage or front street.  <b>Note 2:</b> Porches, pergolas and verandahs that are less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.	✓ <b>Complies</b> <b>Comments</b> <ul style="list-style-type: none"> <li>- The proposed street setback of the building sits between the existing building to the north and the southern property condition</li> <li>- existing vegetation (tree) <b>is to be removed, and replaced with a new canopy tree located within this setback</b></li> <li>- the visual impact of the proposed building will be minimal in regard to the street context. The apex of the proposed façade front wall is only slightly higher than the gable end to the property at the north. And the overall building height of the proposal is substantially lower than the two-storey development proposed to the southern site.</li> </ul>
<b>CLAUSE 54.03-2 Building Height</b>		
<b>Objective</b> To ensure that the height of the buildings respects the existing or preferred neighbourhood character	<b>Standard A4</b> <ul style="list-style-type: none"> <li>• The maximum building height <u>should</u> 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 which case the maximum building height should not exceed 10m.</li> <li>• Change of building height between existing buildings and new buildings <u>should</u> be graduated.</li> </ul>	✓ <b>Complies</b> <b>Comments</b> <ul style="list-style-type: none"> <li>- The maximum building height at nominally 6,700mm high at ridge height is substantially lower than the maximum permissible height</li> <li>- in presentation to the streetscape the apex of the proposed façade front wall is only slightly higher than the gable end to the property at the north. And the overall building height of the proposal is substantially lower than the two-storey development proposed to the southern site.</li> <li>- the front form of the building mediates the form / height change across the site from the two storey development proposal to the south, down to the single storey cottage form to the north.</li> </ul>
<b>CLAUSE 54.03-3 Site Coverage</b>		
<b>Objective</b> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site	<b>Standard A5</b> <ul style="list-style-type: none"> <li>• The site area covered by buildings <u>should</u> not exceed 60%.</li> </ul>	✓ <b>Generally Complies</b> ✓ <b>Variation Required</b>  <b>Comments</b> Site dimensions 25.3m x 6.096m = 154.2m <sup>2</sup> Site Area Ground Floor Building Area = 96m <sup>2</sup>

		<p>Site Coverage: <math>96 / 154.2 = 62\%</math> This is a minimal non-compliance of an additional 2% site coverage, and is commensurate, if not slightly better, than the site coverage of immediate adjoining properties.</p> <p>The existing property to the north of the subject site has a site coverage of approximately 65% (Site area: 159m<sup>2</sup>; Building area: 104m<sup>2</sup>)</p> <p>The proposed development unit to the immediate south of the subject site has a site coverage of approximately 63% (Site area: 103.7m<sup>2</sup>; Building area: 65m<sup>2</sup>)</p>
<b>CLAUSE 54.03-4 Permeability</b>		
<p><b>Objectives</b> Reduce impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration</p>	<p><b>Standard A6</b></p> <ul style="list-style-type: none"> <li>At least 20 % of the site <u>should</u> not be covered by impervious surfaces.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b> Site Area: 154.2 m<sup>2</sup> Permeable areas (total): 49.8 m<sup>2</sup> Permeable area = 32% of site area</p>
<b>CLAUSE 54.03-5 Energy Efficiency Protection</b>		
<p><b>Objectives</b> To achieve and protect energy efficient dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>Standard A7</b></p> <ul style="list-style-type: none"> <li>Buildings <u>should</u> be: <ul style="list-style-type: none"> <li>Orientated to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> </li> <li>Living areas and private open space <u>should</u> be located on the north side of the dwelling, if practicable.</li> <li>Dwellings <u>should</u> be designed so that solar access to north-facing windows is maximised.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b> The building design directly addresses the need for good solar access, and general energy efficiency</p> <ul style="list-style-type: none"> <li>the building is setback where possible from the northern boundary to allow northern sun to the main living areas</li> <li>incorporating a central open courtyard allows solar penetration deep into the center of the building</li> <li>the roof form is varied to allow an integrated structure to support north facing solar panels</li> </ul>
<b>CLAUSE 54.03-6 Significant trees</b>		
<p><b>Objective</b> To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage the retention of significant trees on the site</p>	<p><b>Standard A8</b></p> <ul style="list-style-type: none"> <li>Development <u>should</u> provide for the retention or planting of trees, where these are part of the neighbourhood character.</li> <li>Development <u>should</u> provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b></p> <ul style="list-style-type: none"> <li>The site planning makes allowance for the <u>replacement</u> of an existing, significant canopy tree within the frontage setback, adjacent to the front property line</li> <li>a canopy tree is included in the rear Courtyard. The line of a pergola structure</li> </ul>
<b>CLAUSE 54.03-7 Parking</b>		
<p><b>Objective</b> To ensure that car parking is adequate for the needs of residents.</p>	<p><b>Standard A9</b></p> <p>Two car spaces <u>should</u> be provide per dwelling with:</p> <ul style="list-style-type: none"> <li>one space at least 6m x 3.5m and covered or capable of being covered.</li> <li>One space at least 4.9m x 2.6m.</li> <li>If the car spaces are in a garage, car port or otherwise constrained by walls, a double space may have an internal width of 5.5m.</li> <li>A building may project into a car space if it is at least 2.1m above the space.</li> </ul>	<p>✓ <b>Does Not Comply</b> ✓ <b>Variation Required</b></p> <p><b>Comments</b> The proposal makes allowance for one covered carparking space only on site - this replicates the existing site condition. The driveway and crossing location are existing and do not require works other than a landscaping treatment to the driveway. A second car space on site is impractical as the site is only 6metres wide, hence almost the entire property frontage would be devoted to car access. The small site area also makes it impractical to setout a tandem carparking arrangement.</p>

	<b>Note:</b> the requirements of this standard do not apply to extensions to existing dwellings.	The proposed carparking / Garage layout is similar to many recent townhouse developments that have been approved in the immediate vicinity of the site. Retaining the existing parking access / crossover has no impact on existing on-street parking spaces.
<b>CLAUSE 54.04 AMENITY IMPACTS</b>		
<b>CLAUSE 54.04-1 Side &amp; Rear Setbacks</b>		
<b>Objective</b> 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.	<b>Standard A10</b> <ul style="list-style-type: none"> <li>New building not on, or within 150mm of boundary <u>should</u> be setback from side or rear boundaries: <ul style="list-style-type: none"> <li>1m, plus 0.3m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m.</li> </ul> </li> <li>Sunblinds, verandahs, porches, eaves, gutters etc may encroach not more than 0.5m into the setbacks of this standard.</li> <li>Landings with an area of not more than 2m<sup>2</sup>, and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>GENERALLY Complies</b></li> <li>✓ <b>Variation Required</b></li> </ul> <b>Comments</b> Generally all new boundary walls and upper level setbacks of first floor side walls comply with the standard "A10" Rescode setback requirements, when assessed against south boundary wall and west boundary wall conditions.  The design response of the proposal is premised on an increased built form proposal to the part of the new building adjacent to the north boundary - the existing house to the north is a single storey structure with a long, blank side wall along the boundary line. A new 2-storey built form will have no adverse amenity impacts on the adjoining property along this building length, hence an increased built form of the proposal is readily justifiable. The built form scales down to the west end of the site, to mitigate issues of perceived building bulk, overshadowing etc to the immediately adjoining existing properties.  Minor non-compliance is noted to the roof apex of the front facade.
<b>CLAUSE 54.04-2 Walls on Boundaries</b>		
<b>Objective</b> 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.	<b>Standard A11</b> <ul style="list-style-type: none"> <li>New wall on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary <u>should</u> not abut the boundary for a length of more than: <ul style="list-style-type: none"> <li>10m plus 25% of the remaining length of the boundary of an adjoining lot; or</li> <li>the length of an existing or simultaneously constructed wall or carport whichever is the greater.</li> </ul> </li> <li>A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls would result in the effective height of the wall or carport being less than 2m on the abutting property boundary.</li> <li>A building on a boundary includes a building up to 150mm from a boundary.</li> <li>New wall on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary <u>should</u> not exceed an average of 3m height, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall.</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>Complies (assessed against new development)</b></li> <li>✓ <b>Variation Required (minor non-compliance to existing adj. house)</b></li> </ul> <b>Comments</b> The proposed new wall onto the southern boundary aligns with the new boundary wall of the proposed adjoining development, for most of the length of the boundary. Beyond the boundary wall length of the townhouse development (7 Ethel St) the existing site conditions of the subject site has a single storey shed and out-building along the part south and west boundary of the site. The proposal replaces this single storey boundary structure with new built form replicating the existing built form scope.  A length of two storey wall is proposed along the north boundary, to allow a perimeter stair enclosure. The required boundary wall does not comply with the Standard A11, however the wall abuts the blank side wall of the adjoining property, hence there are no immediate amenity impacts to that property resultant from the increased scale of the built form on the boundary.  The building design response has carefully considered the existing built form of houses and outbuildings of the immediate surrounding properties. In general the

	<p>The formula for calculating walls on boundaries is:  <math>10\text{ m} + [(length\ of\ boundary\ of\ an\ adjoining\ lot - 10\text{ m}) \times 0.25]</math></p>	<p>proposed building design attempts to replicate the existing conditions, so that there are no other amenity impact to the neighbours. from that which exists.</p> <p>The alternative analysis is presented as follows, based on an assessment of the new boundary wall to the subject site and the dilapidated adjoining house:</p> <p>Existing south boundary length: 25,300mm  Existing boundary wall to be retained (subject site): 2,780mm  Proposed NEW boundary wall length: 14,230mm</p> <p>New boundary wall length analysis -  <math>10,000 + [(25,300 - 10,000) \times 0.25] = 13,825\text{mm}</math> allowable boundary wall  This is a minor non-compliance of 405mm additional wall length which should be considered acceptable within the context of a tight, inner suburban site.</p>
<b>CLAUSE 54.04-3 Daylight to Existing Windows</b>		
<p><b>Objective</b>  Allow adequate daylight into existing habitable room windows.</p>	<p><b>Standard A12</b></p> <ul style="list-style-type: none"> <li>Buildings opposite an existing habitable room window <u>should</u> provide for a light court to the existing window, of at least 3m<sup>2</sup> and 1m clear to the sky. The area may include land on the abutting lot.</li> <li>Walls or carports more than 3m height opposite an existing habitable room window <u>should</u> 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. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b>  Due to the existing conditions of buildings and outbuildings of the adjoining sites, there are no existing habitable room windows opposite the proposed new works.</p>
<b>CLAUSE 54.04-4 North Facing Windows</b>		
<p><b>Objective</b>  Allow adequate solar access to existing north facing habitable room windows</p>	<p><b>Standard A13</b></p> <ul style="list-style-type: none"> <li>If a north-facing habitable room window of an existing dwelling is within 3m of a boundary of an abutting lot, a building <u>should</u> be setback: <ul style="list-style-type: none"> <li>1m, plus 0.6m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m, for a distance of 3m from the edge of each side of the window.</li> </ul> </li> </ul> <p><b>Note:</b> A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p>	<p>✓ <b>Complies</b></p> <p><b>Comments</b>  The design response has been based on the design drawings for the new townhouse development to the adjoining site at 7 Ethel St. Works are due to commence in the coming months (refer notice from project developer / property owner).</p> <p>This proposal includes some windows (generally opaque glass) on the level 1 north side of that development, within the angled side wall, hence all windows are facing upwards, inclined to the sky. This condition has been reciprocated on the south Level 1 walls of the proposal on the subject site, hence no impact will result from the works onto the building at 7 Ethel St.</p>

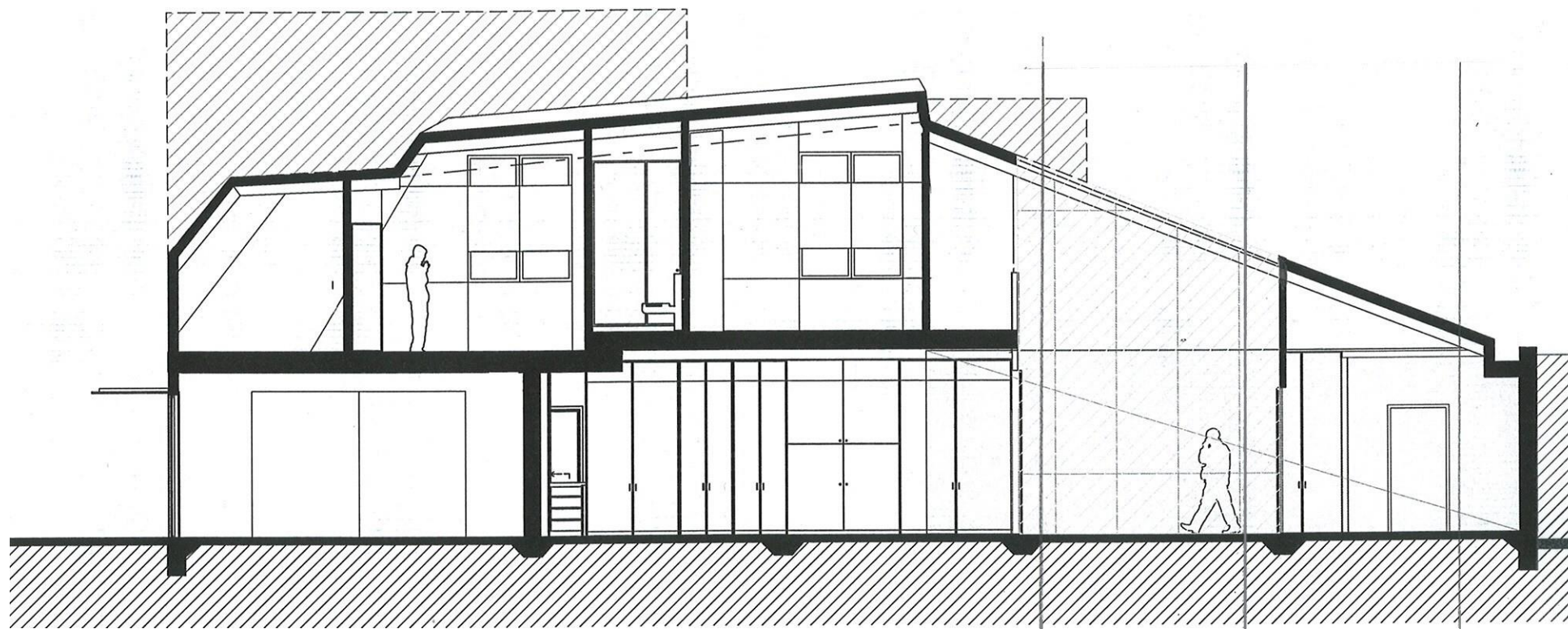
CLAUSE 54.04-5 Overshadowing Open Space		
<b>Objective</b> To ensure buildings do not unreasonably overshadow existing secluded private open space.	<b>Standard A14</b> <ul style="list-style-type: none"> <li>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m<sup>2</sup> with a minimum dimension of 3m, whichever is the lesser area, or the secluded open space <u>should</u> receive a minimum of 5 hours sunlight between 9am and 3pm at 22 September.</li> <li>If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight <u>should</u> not be further reduced.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b></p> <p>The existing properties to the north and west of the subject site are not overshadowed by the proposed works (the property to the west has a shed immediately adjacent to its common boundary with the subject site.</p> <p>The townhouse development proposal to the south has a small area of private open space to the rear of the unit immediately adjacent to the subject site. This area of open space will already be overshadowed by the existing shed and outbuilding on the subject site. The design of the proposed new works in the rear portion of the subject site has addressed this existing amenity condition: the building footprint in this area of the proposal almost exactly replicates the existing shed and outbuilding on site. The Level 1 side wall and roof height complies with the "A10" setback requirement.</p> <p>The shadow diagrams presented with the planning permit application show no change to the overshadowing conditions onto the proposed townhouse to the south of the subject site, within a required 5 hour minimum period. The only noted change arising from the proposed works to the subject site is recorded at the 9am shadow study. The times beyond that, from 10am to 3pm show no change to overshadowing arising from the proposed works.</p>
CLAUSE 54.04-6 Overlooking		
<b>Objective</b> Limit views into existing secluded private open space & habitable room windows.	<b>Standard A15</b> <ul style="list-style-type: none"> <li>Habitable room windows, balconies, terraces etc <u>should</u> be located and designed to avoid direct view to secluded private open space and habitable room windows of an existing dwelling within 9m distance, and a 45 degree arc from the window, balcony etc.</li> <li>The window, balcony etc may:               <ul style="list-style-type: none"> <li>Be offset at least 1.5m from the edge of one window to the edge of the other; or</li> <li>Have sill heights, obscure glazing or permanent screens of at least 1.7m above floor level.</li> </ul> </li> <li>Obscure glazing may be openable provided it does not allow direct views.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b></p> <p>There are no windows in the proposed works on the subject site that overlook adjoining properties.</p> <p>Views to the west from the upper balcony at Level 1 are blocked by the rear building form, and by the buildings and sheds on the immediately adjoining properties.</p> <p>Views south, looking towards the proposed townhouse development, the Level 1 bedroom windows have a sill height 1700mm high above floor level, opaque wall below.</p>
CLAUSE 54.05 ON-SITE AMENITY AND FACILITIES		
CLAUSE 54.05-1 Daylight to New Windows		
<b>Objective</b> Allow adequate daylight into new habitable room windows	<b>Standard A16</b> <ul style="list-style-type: none"> <li>A window in a habitable room <u>should</u> be located to face:               <ul style="list-style-type: none"> <li>an outdoor space clear to the sky or a light court with a minimum area of 3m<sup>2</sup> and minimum dimension of 1m, not including land on an abutting lot, or</li> <li>a verandah provided it is open for at least 1/3<sup>rd</sup> of its perimeter, or</li> <li>a carport provided it has two or more open sides and is open for at least 1/3<sup>rd</sup> of its perimeter.</li> </ul> </li> </ul>	<p>✓ <b>Not Applicable</b></p> <p><b>Comments</b></p> <p>All new habitable room windows are sited to an area / outdoor space that is clear to the sky. The light court has an area approximately 20m<sup>2</sup>; this light court adequately serves natural daylight requirements to the main bedroom and the Living Room.</p>



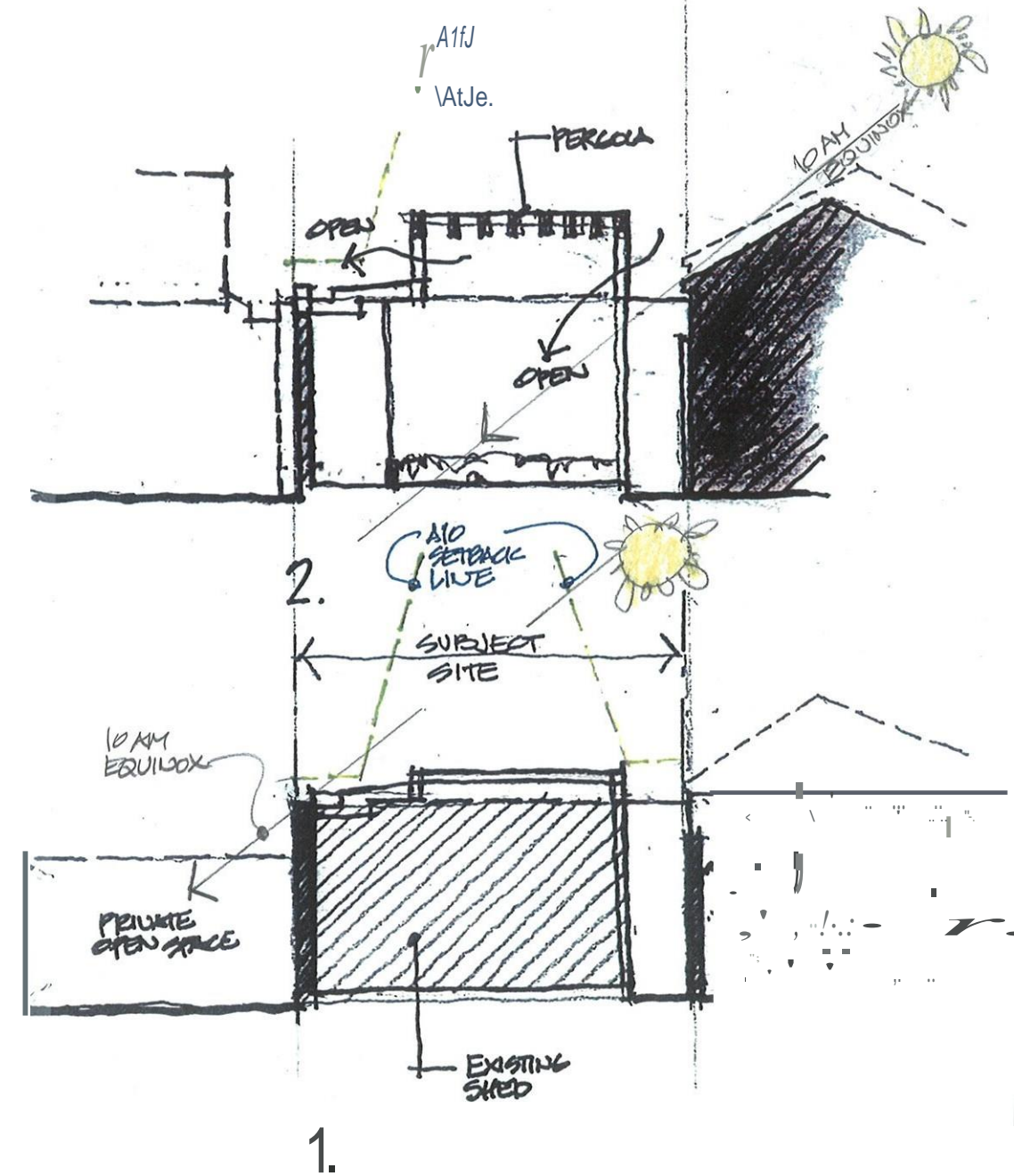
CLAUSE 54.05-2 Private Open Space		
<b>Objective</b> To provide adequate private open space for the reasonable recreation and service needs of residents.	<b>Standard A17</b> <ul style="list-style-type: none"> <li>A dwelling <u>should</u> have private open space of: <ul style="list-style-type: none"> <li>80m<sup>2</sup> or 20% of the lot area, whichever is the lesser, but not less than 40m<sup>2</sup>.</li> <li>At least one part of the private open space <u>should</u> consist of secluded private open space with a minimum area of 25m<sup>2</sup> and a minimum dimension of 3m at the side or rear of the dwelling, with convenient access from a living room.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>Does Not Comply</b></li> <li>✓ <b>Variation Required</b></li> </ul> <b>Comments</b> Site Area: 154.2m <sup>2</sup> 20% site area as minimum open space = 31m <sup>2</sup> , therefore minimum open space to comply with Standard A17 is 40m <sup>2</sup> .  Private Open Space as proposed: Courtyard - 21m <sup>2</sup> Level 1 balcony - 6m <sup>2</sup> Total : 27m <sup>2</sup> Given that the allotment size of the subject site is very small the non-compliance to the required Standard should be considered within the context of the actual space provided. The principal private open space is by way of a very functional courtyard that has direct access from the principal rooms, and is also spatially connected to the Level 1 balcony. It is noted that the proposed townhouse immediately south of the subject site does not comply with the minimum requirements for private open space. (31m <sup>2</sup> total approved area). Planning approval for this development was given last year.
CLAUSE 55.05-3 Solar Access to Open Space		
<b>Objective</b> Allow solar access into the secluded private open space of a new dwelling	<b>Standard A18</b> <ul style="list-style-type: none"> <li>The private open space <u>should</u> be located on the north side of the dwelling, if practicable.</li> <li>The southern boundary of secluded private open space <u>should</u> be setback from any wall on the north of the space at least (2 +0.9h), where 'h' is the height of the wall.</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>Does Not Comply</b></li> <li>✓ <b>Variation Required</b></li> </ul> <b>Comments</b> The average wall height to the boundary wall of the property to the north, directly opposite the proposed courtyard is an average 3.2m high. Required southern boundary of the proposed open space should be 2m + (3.2 x 0.9) = 4.88metres. The actual south boundary of the proposed courtyard is 4.3metres. This is a non-compliance of 580mm in the width of the open space. Given the very small allotment area of the subject site this minor level of non-compliance should be considered acceptable, especially as the proposed open space is sited with excellent orientation to northern sun



<b>CLAUSE 54.06</b> <b>DETAILED DESIGN</b>		
<b>CLAUSE 54.06-1 Detail Design</b>		
<b>Objective</b> To encourage design detail that respects the existing or preferred neighbour character.	<b>Standard A19</b> <ul style="list-style-type: none"> <li>The design of buildings <u>should</u> respect the existing or preferred neighbourhood character, including:               <ul style="list-style-type: none"> <li>facade articulation and detailing;</li> <li>window and door proportions;</li> <li>roof form; and</li> <li>verandahs, eaves and parapets.</li> </ul> </li> <li>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b></p> <p>The design response for the proposed works directly references the neighbourhood character. This character, initially small, single storey cottages, pitched gable end roofs, small front verandah, minimal frontage setbacks, has undergone significant changes through recent developments. Some of the cottages, though retained, have second storey additions. Other properties have increased allotment areas apparently due to site amalgamations, with larger, suburban-style houses constructed. And more recently a number of two-storey contemporary houses have been constructed in the area.</p> <p>The proposed building is intentionally small in scale, in its presentation to the street; the 2-storey nature of the building is not immediately evident in the articulation of its built form. The pitched roof form expressed on the front facade is a direct reference to the original cottage style housing that existed in the area.</p> <p>Nearly all houses now have clearly visible car parking within the respective allotments. The subject site has an existing carport almost immediately abutting the property frontage, served by an existing driveway and street crossing. The proposal retains this existing carparking arrangement. The design of the Garage seeks to present a facade to the street wherein the carparking on the site is not a dominant part of the street view.</p>
<b>CLAUSE 54.06-2 Front Fences</b>		
<b>Objective</b> To encourage front fence design that respects the existing or preferred neighbourhood character.	<b>Standard A20</b> <ul style="list-style-type: none"> <li>The design of front fences <u>should</u> complement the design of the dwelling and any front fences on adjoining properties.</li> <li>A front fence within 3m of a street should not exceed:               <ul style="list-style-type: none"> <li>2m height for streets in a Road Zone, Category 1; or</li> <li>1.5m height for any other street.</li> </ul> </li> </ul>	<p>✓ <b>Complies</b></p> <p><b>Comments</b></p> <p>The proposal for the subject site has no front fence; the front portion of the site is recommended to be landscaped with soft and hard materials.</p> <p>The existing canopy tree near the front property boundary is to be <b>demolished and replaced.</b></p>



KEY DIAGRAM



13 ETHEL ST, EAST BRUNSWICK  
 STUDY DIAGRAMS - BUILT FORM  
 - CROSS SECTION ANALYSIS  
 - SUNLIGHT PENETRATION