Users of Clause 54: One Dwelling on a Lot and Clause 55: Two or More Dwellings on a Lot and Residential Buildings, should have regard to the requirements of the Schedule to the relevant Residential Zone, which may vary the standards of Clause 54 and Clause 55 or specify that a planning permit is required for a single dwelling on a lot of between 300m² and 500m², which would be assessed under Clause 54.

**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.

Apply appropriate response:  
✓ Complies

Comments  
The neighbourhood mostly comprises of older housing stock.
### CLAUSE 54.01 DESIGN RESPONSE

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

### Apply appropriate response:

- **✓ Complies**

### Comments

The proposed two-story additions is the common dwelling size for the surrounding neighborhood.

The dwelling cladding comprise of James Hardie ‘linea’ weatherboard cladding and composite timber cladding.

Aluminum sliding windows and doors are common throughout the area, which are the proposed style on this development.

The roof lines are a combination of parapet and low pitch skillion roofing which is quite common with the preferred character of house in the area.

Please refer to attached floor plans and elevations.

### CLAUSE 54.02 NEIGHBOURHOOD CHARACTER

### CLAUSE 54.02-1 NEIGHBOURHOOD CHARACTER

#### Objectives

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 A1

- 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.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

- **✓ Complies**

**Comments**

The application respects the existing and preferred neighbourhood character of the area on the basis that:

- The proposed development maintains the height and scale of the built form of dwellings in the area.
- The intensity of the development is consistent with the existing residential built form within the area, which is reasonably robust.
- The bulk displayed to the road and adjoining land is compatible with neighbourhood character.

Please refer to attached floor plans and elevations.

### CLAUSE 54.02-2 INTEGRATION WITH THE STREET

#### Objective

To integrate the layout of development with the street.

#### Standard A2

- Dwellings **should** be orientated to front existing and proposed streets.
- High fencing in front of dwellings **should** be avoided if practicable.
- Dwellings **should** be designed to promote the observation of abutting streets and any abutting public open spaces.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- **✓ Complies**

**Comments**

The dwelling is sited with direct access and clear entry points from the front street (The Esplanade).

No proposed changes to the existing fencing.
## CLAUSE 54.03
### SITE LAYOUT AND BUILDING MASSING

### CLAUSE 54.03-1
#### STREET SETBACK

**Objective**
To ensure that setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

**Standard A3**
Walls of buildings should be setback from streets the distance specified in Table A1 as follows:

- 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.
- Where there is an existing building 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.
- Where there is no existing buildings on either abutting lot facing the same street and the site is not on a corner, 6m for streets in a Road Zone Category 1, and 4m for other streets.
- Where the site is on a corner, and there is a building on the abutting lot facing the front street, the same distance as the setback of the front wall of the existing abutting building facing the front street, or 9m whichever is lesser.
- Where the site is on a corner and there is no building on the abutting lot facing the front street, 6m for streets in a Road Zone Category 1, and 4m for other streets.
- Buildings should be setback from the side street of a corner site, the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street, or 2m, whichever is the lesser.

**Note 1:** 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.

**Note 2:** 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.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and adjoining properties.
- The value or retaining vegetation within the front setback.

<table>
<thead>
<tr>
<th>Apply appropriate response:</th>
<th>✓ Complies</th>
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<tbody>
<tr>
<td>Comments</td>
<td>The existing street setback is remaining the same.</td>
</tr>
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</table>

### CLAUSE 54.03-2
#### BUILDING HEIGHT

**Objective**
To ensure that the height of the buildings respects the existing or preferred neighbourhood character.

**Standard A4**
- The maximum building 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 which case the maximum building height should not exceed 10m.
- Change of building height between existing buildings and new buildings should be graduated.

<table>
<thead>
<tr>
<th>Apply appropriate response:</th>
<th>✓ Does Not Comply</th>
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<tbody>
<tr>
<td>Comments</td>
<td>The maximum building height stated in the DDO overlay on this block is 7.0m. The existing dwelling currently has a building height of 8.44m from natural ground. The proposed additions and alterations to the second story will result in an overall building height</td>
</tr>
</tbody>
</table>
**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and adjoining properties.

**CLAUSE 54.03-3 SITE COVERAGE**

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

**Standard A5**
- The site area covered by buildings should not exceed 60%.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

**CLAUSE 54.03-4 PERMEABILITY**

**Objectives**
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration

**Standard A6**
- At least 20 % of the site should not be covered by impervious surfaces.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving at least 20 per-cent site coverage of pervious surfaces, particularly on lots of less than 300m2.

**CLAUSE 54.03-5 ENERGY EFFICIENCY PROTECTION**

**Objectives**
To achieve and protect energy efficient dwellings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

**Standard A7**
- Buildings should be:
  - Orientated to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

• Living areas and private open space **should** be located on the north side of the dwelling, if practicable.
• **Dwellings should** be designed so that solar access to north-facing windows is maximised.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
• The design response
• The size, orientation and slope of the lot.
• The existing amount of solar access to abutting properties.
• The availability of solar access to north facing windows on the site.

**CLAUSE 54.03-6**
**SIGNIFICANT TREES**

**Objectives**
To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site

**Standard A8**
• **Development should** provide for the retention or planting of trees, where these are part of the neighbourhood character.
• **Development should** provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
• Any relevant neighbourhood character objective, policy or statement set out in this scheme.
• The design response.
• The health of any trees that were removed or are proposed to be removed.
• Whether a tree was removed to gain a development advantage.

Apply appropriate response:

✓ Complies

**Comments**
All existing trees will remain on site.

**CLAUSE 54.03-7**
**PARKING**

**Objective**
To ensure that car parking is adequate for the needs of residents.

**Standard A9**
Two car spaces **should** be provide per dwelling with:
• one space at least 6m x 3.5m and covered or capable of being covered.
• One space at least 4.9m x 2.6m.
• 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.
• A building may project into a car space if it is at least 2.1m above the space.

**Note:** the requirements of this standard do not apply to extensions to existing dwellings.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
• The likely needs of users
• The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
• The reduction of on-street car parking spaces resulting from the provision of car parking on the site, particularly for lots of less than 300 square metres.
• The availability of public transport and on-street parking.
• Any relevant local planning policy or parking precinct plan.

Apply appropriate response:

✓ Complies

**Comments**
The proposed dwelling additions contains 2 parking spaced within an enclosed garage space.

**CLAUSE 54.04**
**AMENITY IMPACTS**
SIDE AND REAR SETBACKS

Objective
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.

Standard A10
- New building not on, or within 150mm of boundary should be setback from side or rear boundaries:
  - 1m, plus 0.3m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m.
- Sunblinds, verandahs, porches, eaves, gutters etc may encroach not more than 0.5m into the setbacks of this standard.
- Landings with an area of not more than 2m², and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

WALLS ON BOUNDARIES

Objective
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.

Standard A11
- 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 should not abut the boundary for a length of more than:
  - 10m plus 25% of the remaining length of the boundary of an adjoining lot;
  - the length of an existing or simultaneously constructed wall or carport whichever is the greater.
- 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.
- A building on a boundary includes a building up to 150mm from a boundary.
- 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 should not exceed an average of 3m height, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which wall on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

CLAUSE 54.04-3
DAYLIGHT TO EXISTING WINDOWS

Objective
To allow adequate daylight into existing habitable room windows.

Standard A12
- Buildings opposite an existing habitable room window **should** provide for a light court to the existing window, of at least 3m² and 1m clear to the sky. The area may include land on the abutting lot.
- Walls or carports more than 3m height opposite an existing habitable room window **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. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

**Note:** Where the existing window is above ground level, the wall height is measured from the floor level of the room containing the window.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

CLAUSE 54.04-4
NORTH FACING WINDOWS

Objective
To allow adequate solar access to existing north facing habitable room windows.

Standard A13
- If a north-facing habitable room window of an existing dwelling is within 3m of a boundary of an abutting lot, a building **should** be setback:
  - 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.

**Note:** A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Existing sunlight on the north-facing habitable room window of the existing dwelling
- The impact on the amenity of existing dwellings.

CLAUSE 54.04-5
OVERSHADOWING OPEN SPACE

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

Standard A14

Apply appropriate response:

✓ Complies

Comments
With the constraints of the existing structure, the proposed additions have ensured maximum allowable windows to the north.

Refer to shadow diagrams on attached plans.
- Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m² with a minimum dimension of 3m, whichever is the lesser area, or the secluded open space should receive a minimum of 5 hours sunlight between 9am and 3pm at 22 September.

- If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

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### CLAUSE 54.04-6

**OVERLOOKING**

**Objective**
To limit views into existing secluded private open space and habitable room windows.

**Standard A15**
- Habitable room windows, balconies, terraces etc should 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.
- The window, balcony etc may:
  - Be offset at least 1.5m from the edge of one window to the edge of the other; or
  - Have sill heights, obscure glazing or permanent screens of at least 1.7m above floor level.
- Obscure glazing may be openable provided it does not allow direct views.

**Note:** This standard does not apply to a new habitable room window, balcony, terrace etc which faces a property boundary where there is a visual barrier at least 1.8m high and the floor level of the habitable room, balcony, terrace etc is less than 0.8m above ground level at the boundary.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.

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### CLAUSE 54.05

**ON-SITE AMENITY AND FACILITIES**

### CLAUSE 54.05-1

**DAYLIGHT TO NEW WINDOWS**

**Objective**
To allow adequate daylight into new habitable room windows.

**Standard A16**
- A window in a habitable room should be located to face:
  - an outdoor space clear to the sky or a light court with a minimum area of 3m² and minimum dimension of 1m, not including land on an abutting lot, or
- a verandah provided it is open for at least $\frac{1}{3}$ of its perimeter, or
- a carport provided it has two or more open sides and is open for at least $\frac{1}{3}$ of its perimeter.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

### CLAUSE 54.05-2
**PRIVATE OPEN SPACE**

**Objective**
To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard A17**
- A dwelling should have private open space of:
  - 80m$^2$ or 20% of the lot area, whichever is the lesser, but not less than 40m$^2$.
  - At least one part of the private open space should consist of secluded private open space with a minimum area of 25m$^2$ and a minimum dimension of 3m at the side or rear of the dwelling, with convenient access from a living room.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether the private open space has access to daylight.

#### Apply appropriate response:
✓ Complies

#### Comments
Refer to site plan

### CLAUSE 54.05-3
**SOLAR ACCESS TO OPEN SPACE**

**Objective**
To allow solar access into the secluded private open space of a new dwelling.

**Standard A18**
- The private open space should be located on the north side of the dwelling, if practicable.
- The southern boundary of secluded private open space should be setback from any wall on the north of the space at least $(2 + 0.9h)$, where 'h' is the height of the wall.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response; The useability and amenity of the secluded private open space based on the sunlight it will receive.

#### Apply appropriate response:
✓ Complies

#### Comments
All open space areas are orientated to achieve direct sunlight throughout the day.

### CLAUSE 54.06
**DETAILED DESIGN**

#### CLAUSE 54.06-1
**DESIGN DETAIL**

**Objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard A19**
- The design of buildings should respect the existing or preferred neighbourhood character, including:
  - facade articulation and detailing;

#### Apply appropriate response:
✓ Complies

#### Comments
The additions have been designed to be in keeping with the 'coastal' character of the surrounding area. With articulation on the front and side facades to blend in with the existing streetscape.
- window and door proportions;
- roof form; and
- verandahs, eaves and parapets.

- Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

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**CLAUSE 54.06-2**

**FRONT FENCES**

**Objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard A20**
- The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
- A front fence within 3m of a street should not exceed:
  - 2m height for streets in a Road Zone, Category 1; or
  - 1.5m height for any other street.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

<table>
<thead>
<tr>
<th>Apply appropriate response:</th>
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</thead>
<tbody>
<tr>
<td>✓ Not Applicable</td>
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</tbody>
</table>

**Comments**
No change to the existing.