

22.08 BETTER APARTMENT DESIGN STANDARDS – COMPLEMENTARY PROVISIONS

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This policy applies to development of five or more storeys.

22.08-1 Policy basis

This policy applies the building separation and light well numerical standards that were developed and incorporated into the Moreland Apartment Design Code (MADC). The numerical measures on these provisions provide guidance on the application of the Better Apartments Design Standards (BADS) introduced into the Victoria Planning Provisions in March 2017 in relation to Building setback.

An objective of the Building setback standards is to:

To allow adequate daylight into new dwellings.

A standard in the Building setback element is:

Ensure adequate daylight into new habitable rooms.

Without numerical measures on Building setbacks a key challenge is to decide *what is a reasonable distance from side and rear boundaries* to meet the standard to *Ensure adequate daylight into habitable rooms.*

The building separation and light well numerical measures in MADC were developed to achieve a minimum daylight factor of 1.0 into main living areas (lounge/dining/kitchen) and 0.5 into bedrooms.

Other benefits of the building separation numerical measures are to encourage quality outlooks, minimise loss of privacy and maximise opportunities for open space and landscaping.

The building separation standards in MADC also address equitable development opportunities and potential amenity impacts on adjoining sites.

22.08-2 Objectives

To provide clearer guidance on the building setbacks required in accordance with BADS objective to ensure adequate daylight into habitable rooms

To provide design flexibility by encouraging main living areas to achieve better outlooks, greater privacy and higher levels of daylight compared to bedrooms

To ensure consideration is given to reasonable development opportunities and potential amenity impacts of adjoining sites

22.08-3 Building separation

Objectives

- To provide adequate daylight to living rooms and bedrooms
- To provide opportunities for open space and landscaping areas
- To ensure buildings are located and designed to reduce overlooking into habitable rooms and private open space areas
- To provide a quality outlook from main living areas

- To ensure the equitable development opportunities of adjoining properties
- To ensure the amenity impacts on adjoining sites are considered

Standards

- The urban context report and design response should include an equitable development analysis to assess the implications for development opportunities and amenity impact within the application site and for adjoining sites.
- Building separation distances should comply with the Tables 22.07.1-1, 22.07.1-2, 22.07.1-3. Separation between buildings is measured from glazing line to glazing line of habitable rooms or the external edge of any balcony, whichever is the lesser. These separation distances have a primary purpose to provide adequate access to daylight in living areas and bedrooms. Alternative design solutions may achieve that purpose with lesser separation distances.
- Building separation is not required to the side or rear setbacks where no outlook is proposed provided it does not affect the reasonable development opportunities of the adjoining site.
- Where existing dwellings have not incorporated access to daylight to habitable rooms on their own site in accordance with the building separation standards, the building separation standards will only apply to new development to the extent necessary to achieve a comparable contribution (from a minimum of one metre and a maximum of three metres) of daylight into the habitable rooms of the existing dwellings.
- The building separation requirements commence at the first level of residential use.

Table 22.07.1-1 Building separation to adjacent properties

Minimum building separation (measured from property boundary)		
	Living/Main balcony outlook to boundary line	Bedroom outlook to boundary line
Up to 4 storeys/12 metres	6 metres	3 metres
5-8 storeys/up to 25 metres	9 metres	4.5 metres
9+ storeys/over 25 metres	12 metres	6 metres

Notes:

* Zero building separation applies on sites where a continuous street wall is encouraged under the relevant place-based control.

Table 22.07.1-2 Building separation to a lane

Minimum building separation		
	Living/Main balcony outlook	Bedroom outlook
2 storeys/9 metres	0 metres (from boundary)_	0 metres (from boundary)
3-8 storeys/up to 25 metres	6 metres (from lane centre line)	3 metres (from lane centre line)
9+ storeys/over 25 metres	9 metres (from lane centre line)	6 metres (from lane centre line)

Table 22.07.1-3 Building separation for buildings within sites

Minimum building separation					
	Living/Main balcony outlook to Living/Main balcony outlook	Bedroom outlook to bedroom outlook	Living/Main balcony outlook to bedroom outlook	Living/Main balcony outlook to no outlook	Bedroom outlook to no outlook
Up to 4 storeys/12 metres	12 metres	6 metres	9 metres	6 metres	3 metres
5-8 storeys/up to 25 metres	18 metres	9 metres	13.5 metres	9 metres	4.5 metres
9+ storeys/over 25 metres	24 metres	12 metres	18 metres	12 metres	6 metres

22.08-4 Light wells

Objectives

To ensure adequate daylight is provided into bedrooms

Standards

- The use of light wells for daylight should be minimised.
- Where light wells are provided, they should:
 - Provide daylight access to bedrooms only
 - Be painted in a light reflective colour
 - Provide an opportunity for useable space at ground level
 - Bedroom windows in separate dwellings that face lightwells should be staggered to avoid direct overlooking.
- Light wells should comply with the following area and minimum width:

Table 22.07.1-4 Light well minimum areas and dimensions

Minimum area and dimension	
Up to 4 storeys/12 metres	9m ² (minimum width 3m)
5-8 storeys/up to 25 metres	29m ² (minimum width 4.5m)
9+ storeys/over 25 metres	51m ² (minimum width 6m)

*Note: * The light well minimum areas and dimensions may need to be varied for buildings containing multiple levels of non-residential uses.*

Decision guidelines

In addition to the decision guidelines of the Building setback provisions in the Better Apartments Design Standards, before deciding on application the responsible authority must consider:

- The reasonable development opportunities of adjoining sites
- Whether existing development have reasonably incorporated access to daylight into habitable room windows
- Whether technical analysis demonstrates that separation distances less than the distances specified in Tables 22.07-1 – 22.07-4 meet daylight objectives of 1.0 into main living areas (lounge/dining/kitchen) and 0.5 into bedrooms