



**GREATER  
DANDENONG**  
*City of Opportunity*

# **AGENDA**

## **TUESDAY 14 JUNE 2022**

Commencing at 7:00 PM

### **COUNCIL MEETING**

#### **Statement - Coronavirus (COVID-19)**

At the time of printing this Agenda, the Council Meeting to be held on Tuesday 14 June 2022, will be open to the public but will be subject to density quotients and vaccination mandates.

If we are unable to accommodate you indoors, you will still be able to watch the webcast live on the Urban Screen in Harmony Square.

To view the webcast and stay informed of the status of Council Meetings please visit Council's website.

*The Civic Centre basement carpark will be opened for members of the public attending Council Meetings to park between 6.45pm-7.30pm (sharp). Any parking in this area will be subject to availability.*

**COUNCIL CHAMBERS**  
**225 Lonsdale Street, Dandenong VIC 3175**

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## **1 MEETING OPENING**

### **1.1 ATTENDANCE**

#### **Apologies**

Cr Lana Formoso - Leave of Absence

### **1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND**

Council acknowledges the Traditional Owners and Custodians of this land, the Bunurong people and pay our respects to their Elders past, present and emerging while also recognising their deep and continuing connections to climate, culture and country.

We also pay our respect to all Aboriginal and Torres Strait Islander peoples and their Elders and acknowledge their journey.



### **1.3 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION**

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer, reflection or affirmation this evening will be offered by Mr Shamim Navidi from the Spiritual Assembly of the Baha'is Greater Dandenong, a member of the Greater Dandenong Interfaith Network.

### **1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Meeting of Council held 23 May 2022.

#### **Recommendation**

**That the minutes of the Meeting of Council held 23 May 2022 be confirmed.**

## 1.5 DISCLOSURES OF INTEREST

Any interest that a Councillor or staff member has deemed to be significant and has disclosed as either a material or general interest is now considered to be a conflict of interest. Conflict of Interest legislation is detailed in Division 2 – Conflicts of Interest: sections 126, 127, 128, 129 & 130 of the *Local Government Act 2020*. This legislation can be obtained by contacting the Greater Dandenong Governance Unit on 8571 5216 or by accessing the Victorian Legislation and Parliamentary Documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au).

If a Councillor discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

- complete a disclosure of interest form prior to the meeting.
- advise the chairperson of the interest immediately before the particular item is considered (if attending the meeting).
- leave the chamber while the item is being discussed and during any vote taken (if attending the meeting).

The Councillor will be advised to return to the chamber or meeting room immediately after the item has been considered and the vote is complete.

## **2 OFFICERS' REPORTS - PART ONE**

### **2.1 DOCUMENTS FOR TABLING**

#### **2.1.1 Documents for Tabling**

File Id:	qA228025
Responsible Officer:	Manager Governance

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#### **Report Summary**

Council receives various documents such as annual reports and minutes of committee meetings that deal with a variety of issues that are relevant to the City.

These reports are tabled at Council Meetings and therefore brought to the attention of Council.

#### **Recommendation Summary**

This report recommends that the listed items be received.

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**2.1.1 Documents for Tabling (Cont.)**

**List of Reports**

<b>Author</b>	<b>Title</b>
Local Government Culture Project	Insights Report May 2022
Lighthouse Foundation	Annual Report 2020-2021

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A copy of each report is made available at the Council meeting or by contacting the Governance Unit on telephone 8571 5235.

**Recommendation**

**That the listed items be received.**

### 2.1.2 Petitions and Joint Letters

File Id:	qA228025
Responsible Officer:	Manager Governance
Attachments:	Petitions and Joint Letters

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#### Report Summary

Council receives a number of petitions and joint letters on a regular basis that deal with a variety of issues which have an impact upon the City.

Issues raised by petitions and joint letters will be investigated and reported back to Council if required.

A table containing all details relevant to current petitions and joint letters is provided in Attachment 1. It includes:

1. the full text of any petitions or joint letters received;
2. petitions or joint letters still being considered for Council response as pending a final response along with the date they were received; and
3. the final complete response to any outstanding petition or joint letter previously tabled along with the full text of the original petition or joint letter and the date it was responded to.

**Note: On occasions, submissions are received that are addressed to Councillors which do not qualify as petitions or joint letters under Council's current Governance Rules. These are also tabled.**

### **2.1.2 Petitions and Joint Letters (Cont.)**

#### **Petitions and Joint Letters Tabled**

Council received no new petitions and no joint letters prior to the Council Meeting of 14 June 2022.

***N.B: Where relevant, a summary of the progress of ongoing change.org petitions and any other relevant petitions/joint letters/submissions will be provided in the attachment to this report.***

#### **Recommendation**

**That this report and Attachment be received and noted.**

**2.1.2 Petitions and Joint Letters (Cont.)**

**DOCUMENTS FOR TABLING**

**PETITIONS AND JOINT LETTERS**

**ATTACHMENT 1**

**PETITIONS AND JOINT LETTERS**

**PAGES 6 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 1000.*

**2.1.2 Petitions and Joint Letters (Cont.)**

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
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*If the details of the attachment are unclear, please contact Governance on 8571 1000.*



**2.1.2 Petitions and Joint Letters (Cont.)**

Date Received	<ul style="list-style-type: none"> <li>Petition Text (Prayer)</li> </ul>	No. of Petitioners	Status	Responsible Officer Response
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*If the details of the attachment are unclear, please contact Governance on 8571 1000.*

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## 2.2 STATUTORY PLANNING APPLICATIONS

### 2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092)

File Id:	139405
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Att 1: Section 57A Amendment Plans Att 2: Location of Objectors Att 3: Clause 22.09 Assessment Att 4: Clause 52.06 Assessment Att 5: Clause 55 Assessment Att 6: Clause 56 Assessment

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#### Application Summary

This application has been brought to a Council meeting as it has received two (2) objections.

The application proposes the development of the land for eight (8) double storey dwellings and the subdivision of the land into eight (8) lots.

A permit is required pursuant to:

- Clause 32.08-3 (General Residential Zone) to subdivide land; and
- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

#### Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Two (2) objections were received to the application. Issues raised generally relate to:

- Inadequate car parking;
- That the sightlines for vehicles exiting the driveway are inadequate;
- That waste collection will cause issues as a result of the number of dwellings proposed;
- That there is an ongoing issue with stormwater on the site and surrounding land, and that the proposal would exacerbate this; and
- Too many dwellings are proposed.

#### Assessment Summary

The site is located within an established residential area and is well suited for medium density housing given its zoning and location in an incremental change area. The proposal seeks to provide a medium housing density development which is generally consistent with the emerging pattern of development

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

and the surrounding neighbourhood character. It is noted that the development generally complies with the design principles of the applicable neighbourhood character policy as has been demonstrated in the attachments and outlined in this report or could do so via conditions.

The development is generally compliant with Clause 55 and Clause 56, responding to site context and site circumstances, while respecting the existing and preferred neighbourhood character envisaged by Clause 22.09.

**Recommendation Summary**

As assessed, officers consider this proposal to be generally compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and Council Officers are of the view that on balance, the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued subject to the conditions as set out in the recommendation.

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

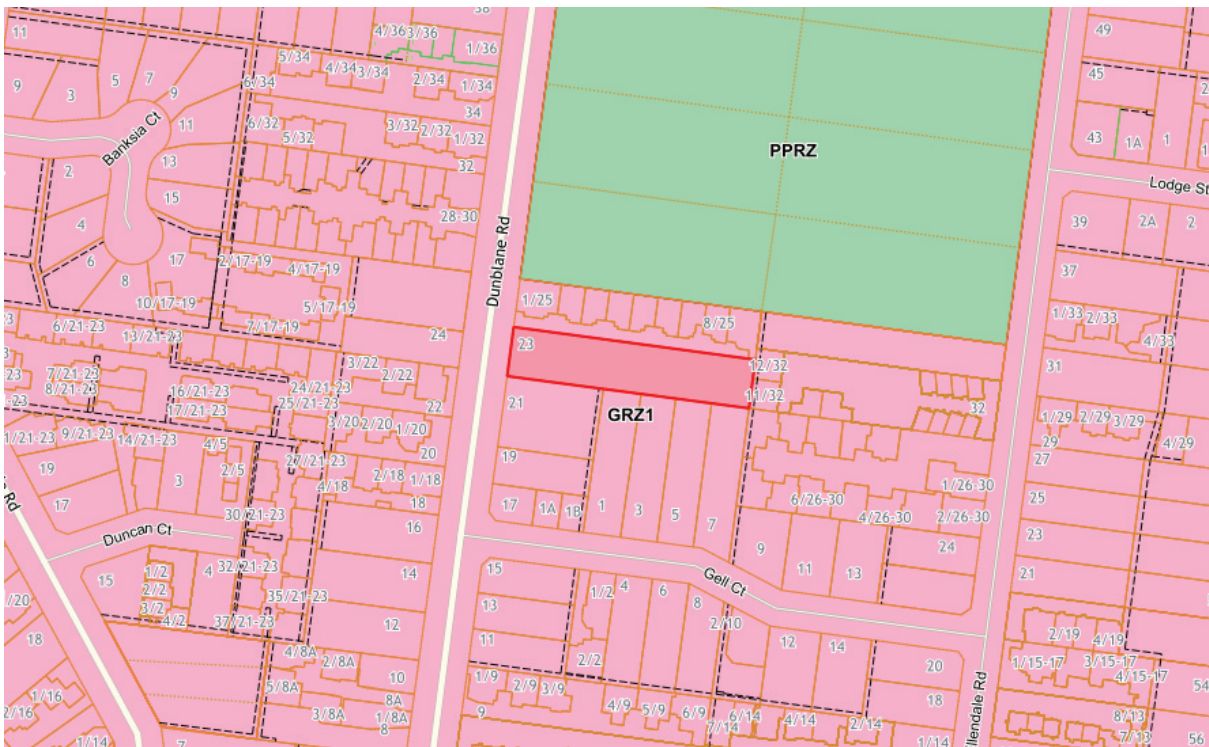
- The subject site is located to the east side of Dunblane Road.
- The site is rectangular in shape with a frontage of 20.12m, a depth of 100.58m and an overall site area of 2023.6sqm.
- The land is currently occupied by a single storey brick dwelling with an associated garage along the southern boundary accessible from Dunblane Road.
- There is no easement on the land.
- There are several trees located throughout the site. The trees to be removed are not significant to the area.

**Surrounding Area**

- The subject site is located within an established residential area of Noble Park.
- The built form in the area consists of a mix of older single storey detached dwellings, double-storey detached dwellings, single-storey multi-dwelling developments and double-storey multi-dwelling developments.
- The adjoining property to the north contains nine (9) double storey dwellings.
- The subject site adjoins five (5) properties on its southern boundary, each containing one (1) single storey dwelling. The land to the east contains twelve (12) single storey dwellings. The land opposite the site to the west contains one (1) single storey dwelling.
- The Noble Park Activity Centre and Train Station are located 500m to the southwest of the site.

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

Locality Plan



p Subject Site Melway Map 89G1 North é

An aerial map of the site and surrounding properties is provided below (April 2021):



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**



**Background**

**Previous Applications**

A search of Council records revealed no previous planning applications have been considered for the subject site.

**Applications History**

After the advertising process, a Section 57A Amendment was submitted in April 2022 to modify the development as follows:

- Provide a passing area at the front of the site by increasing the proposed driveway from 3.5m wide to 6.1m wide for a length of 7m.
- Alterations to Unit 1 to accommodate the passing area.

*A copy of the Section 57A Amendment is included as Attachment 1.*

**Proposal**

The application as per the Section 57A Amendment, proposes the development of the land for eight (8) double storey dwellings and the subdivision of the land into eight (8) lots.

The details of the proposal are as follows:

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Type of proposal</b>	<b>Multi dwellings</b>																														
Number of dwellings	Eight (8)																														
Levels	All double storey																														
Height	The proposed development would have a maximum building height of 8.1 metres (Unit 7 – South elevation).																														
Orientated to	Unit 1 would be orientated to Dunblane Road. Units 2 to 8 orientated to the internal driveway.																														
External materials	Bricks and render on the ground floor.  Light weight rendered finished on the first floor.																														
Minimum setbacks <i>(encompasses all dwellings)</i>	North: 2m (Unit 1).  South: 5.18m (Units 2 to 8).  East: 1.96m (Unit 8).  West (frontage to Dunblane Road): 7.6m (Unit 1).																														
Open space type	<p>Each dwelling would be provided with a minimum of 50sqm of private open space with one part comprising secluded private open space with a minimum area of 30sqm and a minimum dimension of 5m.</p> <p>The areas of private open spaces for the dwellings are as follow (in square metres):</p> <table border="1"> <thead> <tr> <th></th> <th>Ground floor private open space (sqm)</th> <th>Ground floor secluded private open space (sqm)</th> <th>Total (sqm)</th> </tr> </thead> <tbody> <tr> <td>Unit 1</td> <td>95.4</td> <td>31.2</td> <td>126.6</td> </tr> <tr> <td>Unit 2</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 3</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 4</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 5</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 6</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> </tbody> </table>				Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)	Unit 1	95.4	31.2	126.6	Unit 2	N/A	50.6	50.6	Unit 3	N/A	50.6	50.6	Unit 4	N/A	50.6	50.6	Unit 5	N/A	50.6	50.6	Unit 6	N/A	50.6	50.6
	Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)																												
Unit 1	95.4	31.2	126.6																												
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Unit 6	N/A	50.6	50.6																												

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<table border="1"> <tr> <td>Unit 7</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 8</td> <td>N/A</td> <td>103.5</td> <td>103.5</td> </tr> </table>	Unit 7	N/A	50.6	50.6	Unit 8	N/A	103.5	103.5																						
Unit 7	N/A	50.6	50.6																												
Unit 8	N/A	103.5	103.5																												
Number of Car parking Spaces provided	<p>A total of seventeen (17) car parking spaces would be provided for the dwellings.</p> <p>The following table set out the number of car spaces required and provided for each dwelling:</p> <table border="1"> <thead> <tr> <th>Unit number</th> <th>Number of car spaces required</th> <th>Number of car spaces provided</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2 (4 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>2</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>3</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>4</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>5</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>6</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>7</td> <td>2 (3 bedrooms)</td> <td>2 (single garage and tandem car space)</td> </tr> <tr> <td>8</td> <td>2 (4 bedrooms)</td> <td>2 (double garage)</td> </tr> <tr> <td>Visitor Space</td> <td>1</td> <td>1</td> </tr> </tbody> </table>	Unit number	Number of car spaces required	Number of car spaces provided	1	2 (4 bedrooms)	2 (single garage and tandem car space)	2	2 (3 bedrooms)	2 (single garage and tandem car space)	3	2 (3 bedrooms)	2 (single garage and tandem car space)	4	2 (3 bedrooms)	2 (single garage and tandem car space)	5	2 (3 bedrooms)	2 (single garage and tandem car space)	6	2 (3 bedrooms)	2 (single garage and tandem car space)	7	2 (3 bedrooms)	2 (single garage and tandem car space)	8	2 (4 bedrooms)	2 (double garage)	Visitor Space	1	1
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8	2 (4 bedrooms)	2 (double garage)																													
Visitor Space	1	1																													
Number of Car parking Spaces required	<p>One (1) car parking space is required for each one or two bedroom dwelling and two (2) car parking spaces is required for each three or more bedroom dwelling. One (1) common visitor parking space is required for every five (5) dwellings.</p>																														

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>A total of seventeen (17) car parking spaces are required, comprising sixteen (16) car spaces for the residents and one (1) visitor car space.</p> <p>The proposal would provide two (2) car space to each three or four bedroom dwelling with at least one (1) under cover car space.</p> <p>One (1) visitor car space is proposed.</p> <p>The number of car spaces provided for the residents and visitor comply with Clause 52.06 (Car parking).</p>
Type of car parking	Each dwelling is provided with at least one (1) under-cover car parking space.
Access	One (1) vehicle crossover would facilitate vehicular access to the dwellings comprising modification to the existing crossover on Dunblane Road. The crossover would be 6.1m wide. The driveway at the front of the site would also be 6.1m wide for a length of 7m to allow a passing area at the front of the site. This is due to the number of car spaces proposed on the site exceeding 10 car spaces and the accessway exceed 50m long.
Front Fence	A 1.2m high masonry pier & metal picket front fence is proposed.
Garden area required	708.26 square metres or 35%
Garden area provided	708.5 square metres or 35.1%

**Victorian Charter of Human Rights and Responsibilities**

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

**Financial Implications**

No financial resources are impacted by this report.

**Planning Scheme and Policy Frameworks**

Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required under:

- Clause 32.08-3 (General Residential Zone – Schedule 1) to subdivide land; and
- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located in a General Residential Zone, as is the surrounding area.

---

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

The purpose of the General Residential Zone outlined at Clause 32.08 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *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.*

Pursuant to Clause 32.08-3, a permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- For 3 to 15 lots subdivision, should meet all of the standards except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

The development must also provide a minimum garden area of 35% pursuant to Clause 32.08-4 as the lot exceed 650 square metres.

It is noted that within Schedule 1 to the zone, varied requirements of Clause 55 are set out as follows:

- *Standard B6 (Minimum street setback) – As per B6 or 7.5 metres, whichever is the lesser;*
- *Standard B9 (Permeability) – Minimum of 30%;*
- *Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;*
- *Standard B28 (Private open space) – An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or*

*-A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or*

*-A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room;*

- *Standard B32 (Front fence height) – Maximum 1.5 metre height in streets in a Transport Zone 2, 1.2 metre maximum height for other streets.*

**Overlay Controls**

No overlays affect the subject site or surrounding area.



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Planning Policy Framework**

The objectives of Planning in Victoria are outlined in Section 4 of the *Planning and Environment Act 1987* as:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (fa) to facilitate the provision of affordable housing in Victoria.*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the Planning Policy Framework that are relevant to this application.

**Clause 11 Settlement** states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, amongst others.

**Managing growth** is the focus of **Clause 11.02** which includes an objective that aims to ensure a sufficient supply of land is available for residential development, which is relevant to the current application.

**Clause 15 Built environment and heritage** seeks to ensure that planning achieves high quality urban design and architecture that meets a number of objectives. The following objectives are of relevance to the current application:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
- *To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.*

**Housing** is the focus of **Clause 16** and includes the following provisions:

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### 2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)

- *To facilitate well-located, integrated and diverse housing that meets community needs.*
- *To deliver more affordable housing closer to jobs, transport and services.*

There are a number of objectives of relevance to the current application under **Clause 18 Transport** including the following:

- *To create a safe and sustainable transport system by integrating land-use and transport.*
- *To promote the use of sustainable personal transport.*
- *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

#### **Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

- *There is considerable diversity within Greater Dandenong's housing stock. Most housing stock is aged between 30 to 50 years old, though there are some areas with dwellings in excess of 100 years old. Areas of newer housing are located in the north-east and central-southern areas, with in-fill development occurring across the municipality (Clause 21.02-3).*
- *Higher density housing is generally located in proximity to railway stations and major shopping centres, in particular in central Dandenong (Clause 21.02-3).*
- *Whilst there is a clear pre-dominance of single detached dwellings, there are a range of other types of dwellings including dual occupancies, villa-units, town houses and apartments. The highest concentration of older villa units and apartments and more recent multi-unit redevelopments have occurred around central Dandenong, Springvale and Noble Park activity centres (Clause 21.02-4).*
- *With diverse cultural groups that call Greater Dandenong home, there are certain distinct precincts that are emerging that have their own character. Their built form is characterised by buildings with flat unarticulated facades, prominent balconies, limited frontage/side setbacks, limited or no landscaping (Clause 21.02-4).*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. The vision is that Greater Dandenong will be a municipality where housing diversity and choice is promoted in its various attractive neighbourhoods.

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07). Of particular relevance to this application are Clauses 21.04 – Land Use and 21.05 – Built Form:

#### ***Clause 21.04-1 Housing and community***

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- *Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.*
- *Approximately 9,950 new households will need to be accommodated across the municipality by 2024 (Greater Dandenong Housing Strategy 2014-2024).*
- *Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.*
- *Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.*
- *Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.*
- *Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.*
- *Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.*
- *Respect the valued, existing neighbourhood character within incremental and minimal change areas.*
- *Requiring medium-density developments to be site and locality responsive and to respect existing and proposed neighbourhood character.*

**Clause 21.05-1 – Urban design, character, streetscapes and landscapes** – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
  - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
  - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*
  - *Encourage innovative architecture and building design.*
  - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*
- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
  - *Promote views of high quality landscapes and pleasing vistas from both the public and private realm.*
  - *Promote all aspects of character – physical, environmental, social and cultural.*
  - *Encourage planting and landscape themes, which complement and improve the environment.*



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- *Encourage developments to provide for canopy trees.*
- *Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.*
- *To protect and improve streetscapes*
  - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
  - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
  - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
  - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*

**Clause 22.09 – Residential Development & Neighbourhood Character Policy** – contains the following objectives at Clause 22.09-2:

- *To guide the location and design of different types of residential development within Greater Dandenong, having regard to State and local planning policies, while respecting the valued characteristics and identified future character of residential neighbourhoods.*
- *To ensure that new residential development is consistent with the identified future character and preferred built form envisaged for the three Future Change Areas.*
- *To provide certainty about which areas are identified for, or protected from, increased residential development consistent with the purpose of the applicable zone.*
- *To facilitate high quality, well designed residential development and on-site landscaping.*
- *To promote a range of housing types to accommodate the future needs of the municipality's changing population.*
- *To ensure that residential development uses innovative, responsive and functional siting and design solutions that:*
  - *Achieve high quality internal amenity and private open space outcomes for future residents;*
  - *Make a positive contribution to the streetscape through quality design, contextual responsiveness and visual interest;*
  - *Promote public realm safety by maximising passive surveillance.*
  - *Demonstrate responsiveness to the site, adjoining interfaces, streetscape and landscape context;*

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- *Respect the amenity of adjoining residents and the reasonable development potential of adjoining properties;*
- *Achieve environmentally sustainable design outcomes;*
- *Use quality, durable building materials that are integrated into the overall building form and façade; and*
- *Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.*

Clause 22.09-3.1 (Design Principles) provides design principles, which apply to all Future Change Areas.

**Clause 22.09-3.3 (Incremental Change Areas)** provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines consider matters such as: housing form; height; bulk & built form; and site design.

*An assessment against Clause 22.09 is included as Attachment 3 to this report.*

**Particular Provisions**

Car Parking (Clause 52.06)

Clause 52.06 Car Parking needs to be considered to determine the appropriateness of the car parking provision of the development. The purpose of this Clause is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the 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 is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) also requires that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

A total of seventeen (17) car parking spaces are required comprising sixteen (16) car spaces for residents and one (1) visitor car space. Each three or four bedroom dwelling would be provided with two (2) car spaces with at least one (1) undercover car space. One (1) visitor car space is also provided.

Car parking is to be designed in accordance with the requirements of Clause 52.06-9 and 52.06-11 of the Scheme.

*An assessment against Clause 52.06 is included as Attachment 4 to this report.*

Public Open Space Contribution and Subdivision (Clause 53.01)

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

The required public open space contribution for the subdivision of land into eight (8) lots in Schedule 1 to Clause 53.01 is five (5%) percent.

Two or more dwellings on a lot and residential buildings (Clause 55)

Pursuant to Clause 55 of the Greater Dandenong Planning Scheme, the provisions of this Clause apply to an application:

- *To construct two or more dwellings on a lot.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

A development:

- *Must meet all of the objectives of this clause; and*
- *Should meet all of the standards of this clause.*

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

*An assessment against Clause 55 is included as Attachment 5 to this report.*

Residential Subdivision (Clause 56)

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

The purposes of this clause are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
  - Metropolitan Melbourne growth areas.
  - Infill sites within established residential areas.
  - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
  - Policy implementation.
  - Liveable and sustainable communities.
  - Residential lot design.
  - Urban landscape.
  - Access and mobility management. Integrated water management.
  - Site management.
  - Utilities.

*An assessment against Clause 56 is included as Attachment 6 to this report.*

**General Provisions**

Clause 65 – Decision Guidelines needs to be considered, as is the case with all applications. For this application the requirements of Clause 65.01 for the approval of an application or plan is of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.

Clause 66.01 – Subdivision Referrals needs to be considered, as is the case with all applications. An application to subdivide land must be referred to the relevant water, drainage, sewerage, electricity supply or distribution and gas supply authority.

**Restrictive Covenants**

Covenant 1152075 is recorded on the Certificate of Title to the land. The covenant prohibits the manufacturing or winning of bricks tiles or pottery ware.

The proposal development of the land for eight (8) double storey dwellings and subdivision of the land into eight (8) lots would not result in a breach of the covenant and the applicant has submitted a declaration to this effect.

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. In accordance with the commitment in Council's Annual Plan, all applications are considered on their merits.

**Diversity (Access & Equity)**

It is not considered that the proposal raises any diversity issues affecting the planning assessment of this application.

**Community Safety**

It is considered that there would be no adverse community safety implications in permitting the proposal.

**Safe Design Guidelines**

Consideration of the relevant requirements of these Guidelines has been undertaken within the Assessment of this application.

**Referrals**

**External**

The application was referred to the following external authorities pursuant to Section 55 of the Planning and Environment Act 1987.

<b>External Referrals</b>	
Country Fire Authority	No objections, subject to conditions on permit.
Melbourne Water	No objections.
South East Water	No objections, subject to conditions on permit.
United Energy	No objections, subject to conditions on permit.
Multinet Gas	No objections, subject to conditions on permit.

**Internal**

The application was internally referred to the following Council departments for their consideration. The comments provided have been considered in the assessment of the application.

<b>Internal Referrals</b>
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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

Civil Development	No objections, subject to conditions on permit.
Transport Planning	No objections, subject to conditions on permit.
Sustainability Planning	No objections, subject to conditions on permit.
Arborist	No objections, subject to conditions on permit.
Waste Management Services	No objections.

### **Advertising**

The application has been advertised twice pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the land owners and occupiers of adjoining and surrounding land.
- Placing one (1) sign on site facing Dunblane Road.

The notification has been carried out correctly.

A total of two (2) objections have been received to date.

*The locations of the objectors are shown in Attachment 2.*

The Section 57A Amendment received in April 2022 was not advertised for the following reasons:

- The layout to Units 2 to 7 would not be altered.
- As a result of the vehicular passing area, the modification to the layout of Unit 1 would not reduce the setbacks of the dwelling from the adjoining properties.

### **Consultation**

A consultative meeting was not held as less than four (4) objections were received.

### **Summary of Grounds of Submissions/Objections**

The objections are summarised below (**bold**), followed by the Town Planner's Response (in *italics*).

- **Inadequate car parking**

*The proposal would provide two (2) car spaces to each three or four bedroom dwelling with at least one (1) under cover car space.*

*The development comprises of eight (8) dwellings and requires one (1) visitor car space. One (1) visitor car space would be provided.*

*The number of car spaces provided for the residents and visitors complies with Clause 52.06 (Car parking).*

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- **That the sightlines for vehicles exiting the driveway are not adequate**

*The ground floor plan has annotated that the 2m x 2.5m splay at the entrance of the driveway would have a minimum 50% clear sight line at vehicle exit to maximum height of 1m above natural ground level.*

*Any structure within the splayed area should be lowered to 0.9m high as required by Design Standard 1 of Clause 52.06-9 (Car parking). This could be conditioned, and would therefore meet the requirements of the Planning Scheme.*

- **That waste collection will be an issue as a result of the number of dwellings proposed**

*The submitted Waste Management Plan demonstrates that there is adequate space to provide sixteen (16) bins on the nature strip adjacent to the site for the proposed eight (8) dwellings.*

*The application was referred to Council's Waste Management Services who has no objection to the Waste Management Plan provided.*

*It is considered that this issue has been addressed by the proposed development.*

- **That there is an ongoing issue with stormwater on the site and surrounding land, and that the proposal would exacerbate this**

*The application was referred to Council's Civil Development team who have no objection to the proposal. Council's Civil Development team have included conditions requiring collected stormwater to be retained onsite and discharged into the drainage system.*

*It is considered that this issue would be addressed via conditions (Conditions 1.7, 10 to 13).*

*In addition, a drainage plan would be required during the Building Permit stage to be provided and approved by Council's Civil Development team prior to the commencement of the development.*

- **Too many dwellings proposed**

*The development has provided adequate private open space and setbacks in accordance with the General Residential Zone – Schedule 1 together with adequate on-site car parking for each dwelling. An on-site visitor common car space has also been provided and is in accordance with Clause 52.06 (Car Parking).*

*An assessment has found that the development complies with the relevant planning policies or could do so via minor amendments, which can be achieved via conditions.*

*It is considered that the number of dwellings proposed is not excessive particularly considering the size of the site being 2023.6sqm, and development in the surrounding area.*

*The proposed development is not considered to be an overdevelopment of the site.*



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Assessment**

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing eight (8) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

- Clause 22.09 (full assessment attached as attachment 3);
- Clause 52.06 (full assessment attached as attachment 4);
- Clause 55 (full assessment attached as attachment 5) as well as Schedule 1 to the General Residential Zone; and
- Clause 56 (full assessment attached as attachment 6).

**Use**

As outlined in Clause 32.08-2 (General Residential Zone), a dwelling is listed as a Section 1 use, and a planning permit is not required for the use of the proposal. However, a planning permit is required for the development and the subdivision of the land, which is discussed below.

**Development & Subdivision**

**Planning Policy Framework / Local Planning Policy Framework**

In considering the Planning Policy Framework and the Local Planning Policy Framework, Council can establish that an acceptable proposal will be guided by:

*Clause 22.09 Residential Development and Neighbourhood Character;*

*Clause 52.06 Car parking;*

*Clause 55 Two or more dwellings on a lot; and*

*Clause 56 Residential subdivision.*

Each of these Clauses ensure that Council facilitates the orderly development of urban areas, which is a specific objective of Clause 11.02 Settlement.

The objectives of Clause 15.01-1S Urban Design, Clause 15.01-2S Building Design and Clause 21.05-1 Built Form outline the key considerations in which a development must respond to urban design, character, streetscapes and landscape issues.

It is considered that the proposed design response respects the preferred neighbourhood character of the incremental change area by providing a medium density housing typology.



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

The proposal is of a high quality urban design, with physical recession, articulation, varied use of materials, textures and other visual interest.

The overall layout allows space for compliant private and secluded private open space and acceptable landscaping treatments such as a significant canopy tree and shrubbery plantings within well-proportioned setback areas to allow growth to maturity.

The proposal is also located within an area subject to incremental change with other multi-unit developments of a similar scale and massing being found within the surrounding residential area such as on the adjoining land to the north. The proposal's compliance with Clause 22.09, Clause 52.06, Clause 55 and Clause 56 ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

As such, Council officers recommend that the application be approved subject to planning permit conditions as necessary.

**Clause 22.09 Assessment - Residential Development and Neighbourhood Character Policy**

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09. The principles that warrant further discussion are as follows:

Design Principles for all residential developments

**Safety**

Relevant Design Principle:

- *Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.*

Security lighting could be required as a condition of any permit to be granted.

**Landscaping**

Relevant Design Principles:

- *Avoid the removal of existing mature trees by incorporating their retention into the site design.*
- *Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.*

A landscape plan has been provided incorporating native canopy trees within the front setback and within the secluded private open space of each dwelling. A rainwater tank could be requested as condition of any permit to be granted.

There are several trees on the site which would be removed for the development. An Arboricultural Report has been submitted to demonstrate that the trees to be removed are not significant trees and do not require a planning permit for removal. However, for completeness, Council's arborist has reviewed the Arboricultural Report and advised that the trees are appropriate for removal. Council's

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### 2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)

arborist also advised that the street tree on the nature strip of Dunblane Road and the tree on the adjoining land to the south should be retained and fenced during the construction of the development. This could be conditioned.

#### Design Principle for Incremental Change Area

#### **Bulk & Built Form**

Relevant Design Principles:

*Residential development in the GRZ1 and GRZ2 should:*

- *provide separation between dwellings at the upper level;*
- *retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;*
- *position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.*

*Within the GRZ1 and GRZ2 the rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*

*Two storey dwellings to the rear of a lot in the GRZ1 and GRZ2 may be considered where:*

- *the visual impact of the building bulk does not adversely affect the identified future character of the area; overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;*
- *the building bulk does not adversely affect the planting and future growth of canopy trees to maturity;*
- *sufficient side and rear boundary landscaping can be provided to screen adjoining properties;*
- *upper storey components are well recessed from adjoining sensitive interfaces.*

The first floors of Units 2 and 3 would be attached as well as the first floors of Units 4 and 5 and Units 6 and 7. The extent of the first floor attachments are not excessive. It is noted that the adjoining development to the north has similar first floor attachment. The first floor attachment to some sections of the development is not out of character to the area.

There is no clear spine of open space located on this site.

The proposed two storey dwelling to the rear of the lot is considered appropriate due to the following:

- The adjoining land to the north also has double storey dwellings throughout the depth of the lot including the last dwelling at the rear.
- The two storey dwellings would not result in visual bulk to the surrounding developments or the streets due to the well articulated design.
- The proposed development would not result in overlooking or overshadowing to the secluded private open spaces or habitable room windows of the adjoining properties.

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- The proposed development would have adequate space for canopy trees including space for future canopy trees spread as the first floors would not cantilever over the ground floors.
- The landscape plan shows that there would be substantial landscaping along the front, side and rear boundaries.
- The upper storey of Unit 8 is well recessed from the ground floor and well setbacks from the adjoining properties.

**Clause 52.06 Assessment - Car Parking**

The table at Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) sets out the car parking requirement that applies to the use of land for dwellings as follows:

- One (1) car parking space to each one (1) or two (2) bedroom dwelling; and
- Two (2) car parking spaces to each three (3) or more bedroom dwelling; plus
- One (1) car parking space for visitors to every five (5) dwellings for developments of five (5) or more dwellings.

The proposal would provide two (2) car spaces to each three-bedroom or four-bedroom dwelling with at least one (1) under cover car space. One (1) common visitor car space would be provided.

A total of seventeen (17) car parking spaces are required, comprising sixteen (16) car spaces for the residents and one (1) visitor car space.

As such, the number of car spaces provided for the residents and visitors comply with Clause 52.06 (Car parking).

The proposal generally complies with the Design Standard of Clause 52.06-9, and a full Clause 52.06 assessment is attached to this report at Attachment 4. The standards that warrant further consideration are discussed as follows:

**Design Standard 1 – Accessways**

This standard requires accessway must have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

The ground floor plan has annotated that the 2m x 2.5m splay at the entrance of the driveway would have a minimum 50% clear sight line at vehicle exit to maximum height of 1m above natural ground level.

Any structure within the splayed area should be lowered to 0.9m high. This could be conditioned.

**Design Standard 2 – Car parking spaces**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

This standard requires open car space to be 2.6m wide by 4.9m long and where parking spaces are provided in tandem (one space behind the other), an additional 500mm in length must be provided between each space.

Based on the scale provided, the tandem car spaces of Units 2 to 7 are measured to be more than 2.6m wide by 4.9m long and the gaps between the tandem car spaces and the garages are measured to be 500mm. A condition could be included on any permit to be granted to confirm the dimension of the tandem car spaces and the gap between the tandem car spaces and the garages.

**Design Standard 6 – Safety**

This standard requires car parking must be well lit and clearly signed. Security lighting could be required as a condition of any permit to be granted. As the development is for residential dwellings, signage to the car parking area is not required.

**Clause 55 Assessment - Two or more Dwellings on a lot and Residential Buildings**

A Clause 55 Assessment is attached to this report at Attachment 5. Standards that warrant further consideration are discussed as follows:

**Clause 55.03-7 Safety objective – Standard B12**

This standard requires developments to be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Security lighting could be required as a condition of any permit to be granted.

**Clause 55.03-10 Parking location objective – Standard B15**

This standard requires that shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. In this instance, all windows within 1.5 metre of the accessway have window sills at least 1.4 metre high, and therefore the setback requirement is 1 metre.

The south facing living room windows of Units 2 to 7 would be less than 1m from the common accessway. It is recommended that noise attenuated glazing should be provided to the windows to limit vehicle noise from the common driveway to the window.

It is considered that the objective will be met as the double glazing would limit noise from the driveway to the habitable room windows. In addition, the habitable room windows are to living rooms and not bedrooms. The minor variation of 0.32m to the setback of these windows are considered acceptable in this instance.

**Clause 55.03-7 Overlooking objective – Standard B22**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

This standard requires a habitable room window to be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window. Views should be measured within a 45 degree angle from the plane of the window and from a height of 1.7 metres above floor level.

Whilst the 1.8m high southern boundary fence would provide some screening to the secluded private open spaces of the adjoining land to the south, due to the slope of the land which has a fall of up to 5m from the rear to the front which would exacerbate overlooking from the first floor south facing bedroom windows of Units 2 to 8. Therefore, it is recommended that fixed obscured glazing should be provided to these windows. This could be conditioned.

**Clause 56 Assessment – Residential Subdivision**

A Clause 56 Assessment is attached to this report at Attachment 6. Standards that warrant further consideration are discussed as follows:

**Clause 56.09-2 Electricity, Telecommunications and Gas objective – Standard C28**

It is considered that the supply of electricity, telecommunications and gas could be supplied to the lots to the satisfaction of the relevant authorities to ensure these objectives are met. Relevant permit conditions would be placed on any permit to be granted.

**Clause 56.09-3 Fire hydrants objective – Standard C29**

The application was referred to the Country Fire Authority who requested conditions to be included on any permit to be granted.

**Clause 22.06 - Environmentally Sustainable Development**

The proposal complies with the requirements of Clause 22.06 by providing a Sustainable Design Assessment (SDA), a Built Environment Sustainability Scorecard (BESS) and a Stormwater Calculation, all completed by qualified professionals.

The provided BESS score complies with a score of 50% for best practice encompassing the full life of the build and identifying the methods used for the best environmental performance outcome. Having regard to the sites opportunities and restraints, the proposal has included the necessary water tanks, and roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

The referral response from Council's ESD team identified that the submitted plans should be amended to include the following:

- Location of necessary Water Sensitive Urban Design (WSUD) treatment systems including rainwater tanks to dwellings and a combination of raingardens and permeable surface treatments to driveways and other impervious surfaces.
- Space allocation and depiction of green/organic waste bins adjacent to waste and recycling bins within the secluded private open space areas.
- Any other measures associated with the revised Sustainable Design Assessment.

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>BESS Information Summary</b>  Dwelling Type: Non-residential		<b>Project Overall Score: 54%</b>		
		<b>Fail</b>	<b>Best Practice</b>	<b>Design Excellence</b>
		<b>(&lt;49%)</b>	<b>(50-69%)</b>	<b>(&gt;70%)</b>
<b>BESS Category</b>	<b>Score</b>	<b>Initiatives</b>		
<b>Management</b>	40%			
		ESD consultant present at pre-application to discuss matters related to sustainable design. TBC		
		Commitment to prepare a building users guide.		
<b>Water</b>	50%			
		Rainwater tank capacity of 2,000L per dwelling connected to: Landscape irrigation, Toilet flushing, Laundry Use		
		Moderate WELS star rated water fittings, fixtures and appliances		
		Potable water consumption reduced by 25% compared to same building following minimum standards.		
<b>Energy</b>	50%			
		High efficiency reverse cycle air conditioning specified with 4 star energy rating.		
		High efficiency 6 star gas instantaneous hot water system specified.		
		Estimated greenhouse gas emissions reduced by 67% compared to compared to same building following minimum standards		
<b>Stormwater</b>	100%			
		Stormwater design meets industry best practice requirements though incorporation of rainwater collection and re-use and raingardens		
<b>Indoor Environment Quality</b>	60%			

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

		Design promotes high levels of daylight access to living areas and bedrooms.
		Over 50% of dwelling living spaces-oriented north.
		Natural cross ventilation achieved for all dwellings
		Fixed and adjustable shading provided for all north, east and west facing windows - TBC
<b>Transport</b>	67%	
		Dwelling space caters for bicycle parking storage
<b>Waste</b>	50%	
<b>Urban Ecology</b>	38%	
<b>Innovation</b>	0%	

**Waste Management**

A Waste Management Plan has been submitted with the application. Each dwelling would be provided with a 120 litre garbage bin and a 240 litre recycling bin. Green waste bin would be optional. Bins for each dwelling would be stored within their respective secluded private open space area. On waste collection day, bins would be provided on the nature strip on Dunblane Road adjacent to the site.

The site has a frontage of 20.12m. The submitted Waste Management Plan demonstrated that there is adequate space to provide sixteen (16) bins on the nature strip adjacent to the site for the proposed eight (8) dwellings. Waste collections would be undertaken by Council's Waste Management Services.

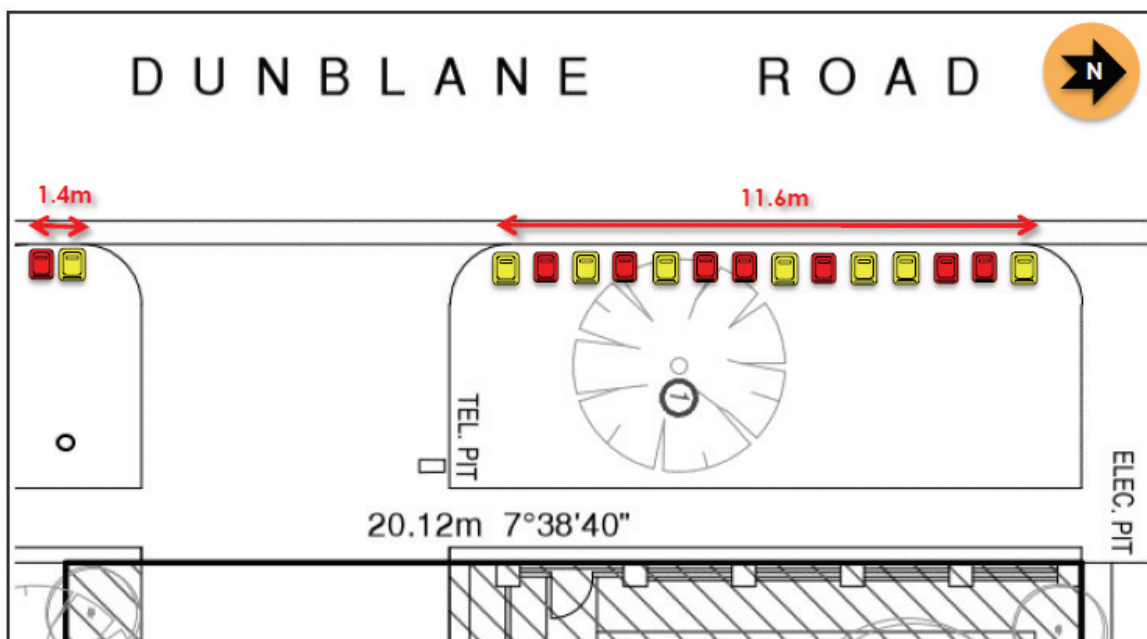
The application was referred to Council's Waste Management Services who have no objection to the waste management proposed.

**A plan showing the locations of bins to be provided during waste collection day is below:**



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Figure 3 Kerbside Bin Positions**



**Conclusion**

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06, 55 and 56, and the decision guidelines of Clause 65.

**Recommendation**

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 23 Dunblane Road, Noble Park VIC 3174 (Lot 1 TP 519071 Vol 4852 Fol 266), for 'the development of the land for eight (8) double storey dwellings and to subdivide the land into eight (8) lots in accordance with the plans submitted with the application', subject to the following conditions:

**Development conditions**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- 1.1. The 2m x 2.5m splay at the entrance of the driveway to have a minimum 50% clear sight line at vehicle exit to maximum height of 0.9m above natural ground level;**
- 1.2. The provision of sensor lights above each garage and bollard lights along the common accessway;**
- 1.3. The south facing living room windows of Units 2 to 7 provided with noise attenuated glazing;**
- 1.4. The first floor south facing bedroom windows of Units 2 to 8 provided with fixed obscured glazing to a height of 1.7m above finished first floor levels;**
- 1.5. Dimensions of the tandem car spaces of Units 1 to 7 in accordance with Clause 52.06-9 (Car Parking);**
- 1.6. A gap of 500mm between the garages and tandem car spaces of Units 1 to 7;**
- 1.7. A kerb along the entire length of the southern side of the accessway with a minimum height of 150mm from surface level;**
- 1.8. A minimum 2000 litre rainwater tank for each dwelling;**
- 1.9. Location of necessary Water Sensitive Urban Design (WSUD) treatment systems including rainwater tanks to dwellings and a combination of raingardens and permeable surface treatments to driveways and other impervious surfaces;**
- 1.10. Space allocation and depiction of green/organic waste bins adjacent to waste and recycling bins within the secluded private open space areas;**
- 1.11. Any other measures associated with the revised Sustainable Design Assessment (refer to Condition 5).**

**When approved, these plans will be endorsed and will form part of this permit.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- 2 The provisions, recommendations and requirements of the landscape plan must be implemented, maintained and complied with to the satisfaction of the Responsible Authority.**

**Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.**

- 3. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**

- 4. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works and the conditions of this permit have been complied with.**

- 5. Prior to the endorsement of plans under condition 1, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the responsible authority. The revised SDA must be in accordance with the design initiatives, commitments and performance tool inputs specified in the SDA (prepared by EcoResults, ref 2020-2307-SDA) but modified to include:**

- 5.1. Revised stormwater section that includes submission of an updated assessment of the stormwater performance treatments for the site (using STORM or InsiteWater) that includes:**

- a) Use of rainwater tanks to dwellings where required**
- b) Use of raingardens to relevant impervious areas for each dwelling**
- c) Removal of raingardens as a standalone treatment for the driveway area and replaced with permeable surface treatments to the driveway or a combination of permeable treatments and bioretention systems (raingardens) where appropriate.**

- 5.2. Revised water efficiency section of the SDA and BESS tool that includes:**

- a) Specification of rainwater tanks with a minimum capacity of 2,000L to relevant dwellings**



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- 7.6. Areas within the TPZ must not be used:**
- 7.6.1. for vehicular or pedestrian access, no trenching or soil excavation is to occur.**
  - 7.6.2. for storage or dumping of tools, equipment, materials or waste is to occur.**
  - 7.6.3. for storage of any vehicles, machinery, equipment or other materials.**
- 8. Demolition of the existing driveway must occur by non-destructive digging methods under Arborist supervision within the TPZ of Tree 3. No excavation should occur in the TPZ without prior approval from the Project Arborist**
- 9. The proposed concrete driveway must be constructed above the existing grade and within the footprint of the existing concrete driveway in order to protect the tree labelled Tree 3 in the Arboricultural Report prepared by Sustainable Tree Management, Feb 2021.**
- 10. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 11. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
- 12. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**
- 13. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.**
- 14. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

15. **Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.**
16. **Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
17. **Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**
18. **Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.**  
**All glazing must at all times be maintained to the satisfaction of the Responsible Authority.**
19. **Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
20. **Prior to commencement of the development, written consent must be obtained from the relevant authority to relocate the power pole at the front of the site. The cost of the relocation of the power pole and associated works, must be borne by the developer.**

**Subdivision conditions**

21. **The subdivision as shown on the endorsed plans must not be altered, unless with the written consent of the Responsible Authority.**
22. **Prior to the Certification of the Plan of Subdivision, the owner of the land must, to the satisfaction of the Responsible Authority, complete the development of all the land in the subdivision in accordance with this permit or any amended or subsequent permit.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- 23. Prior to Certification of the Plan of Subdivision, the owner must provide evidence from a qualified Building Surveyor that the buildings are in conformity with relevant Building Regulations to the satisfaction of the Responsible Authority. This includes, but is not limited to, the fire rating of any structure or windows on or near proposed boundaries of the lots.**
- 24. Prior to the issue of the Statement of Compliance, the owner of the land is required to pay to the Responsible Authority the sum of 5% of the site value of all the land in the subdivision (as valued by Council) as an Open Space Contribution.**
- 25. The owner of the land must enter into an agreement with:**
- 25.1. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
  - 25.2. a suitably qualified person for the provision of fibre-ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 26. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:**
- 26.1. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
  - 26.2. a suitably qualified person that fibre-ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

27. **Provision must be made for the drainage of each lot shown on the approved Plan of Subdivision in accordance with plans and specifications to be submitted to and approved by the Responsible Authority, prior to occupation of the site, all to the satisfaction of the Responsible Authority.**
28. **Prior to the Statement of Compliance being issued, the following must be satisfied:**
- 28.1. **All works for the development must be completed to the satisfaction of responsible authority.**
  - 28.2. **The proposed drainage works for the development must be completed in accordance with the approved plans.**
  - 28.3. **Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**
  - 28.4. **Asset Protection Permit to be finalised.**

**Conditions from Country Fire Authority**

**29. Hydrants**

**Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*, the following requirements must be met to the satisfaction of the CFA:**

- 29.1. **Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.**
- 29.2. **The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**

**Note –CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**30. Roads**

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- 30.1. Curves must have a minimum inner radius of 10 metres.
- 30.2. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- 30.3. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) or the provision of T or Y heads which meet the specification of Austroad Design for an 8.8 metre service vehicle.

**Conditions from South East Water**

- 31. The owner of the subject land must enter into an agreement with South East Water for the provision of drinking water supply and fulfil all requirements to its satisfaction.
- 32. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.
- 33. All lots shown on the Plan of Subdivision must be included in the Owners Corporation schedule.
- 34. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.

**Conditions from United Energy**

- 35. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- 36. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

**Notes:** Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- 37. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).**

**Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.**

**Condition from Multinet Gas**

- 38. A Statement of Compliance be obtained from Multinet Gas prior to the plan of subdivision being released from the Titles Office.**

**Expiry date**

- 39. This permit will expire if:**

- 39.1. The development or any stage of it does not start within two (2) years of the date of this permit, or**
- 39.2. The development or any stage of it is not completed within four (4) years of the date of this permit.**
- 39.3 The Plan of Subdivision is not certified within two (2) years of the date of this permit.**

**Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.**

**The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:**

- (a) the request for the extension is made within twelve (12) months after the permit expires; and**
- (b) the development or stage started lawfully before the permit expired.**

**The certified plan is valid for 5 years from the date of certification.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Permit Notes**

**A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**

**Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**

**Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

**Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.**

**Approval of any retention system within the property boundary is required by the relevant building surveyor.**

**Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**

**As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**

**A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.**

**No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.**

**The required forms to be submitted to Council in relation to telecommunications conditions can be found at the Advisory Note 49 – Telecommunications Services and Facilities in Subdivisions.**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

For subdivisions without existing infrastructure on the street where an extension is required to the existing telecommunications network (such as new poles, lines, pits, towers or satellite dishes), the Australian Communications and Media Authority (ACMA) has a list of carriers (owners of a telecommunications network) that can provide written confirmation to a council that all lots are connected to or ready for connection to telecommunications services at

<http://www.acma.gov.au/Industry/Tele/Carriers-and-service-providers/Licensing/register-of-licensed-carriers-licensing+acma>

For subdivisions with existing infrastructure on the street where lots have access to and can connect to the existing telecommunications network on an adjoining street through the installation of a starter conduit or lead-in connection only, a telecommunications network or service provider can also be a person or organisation that is qualified to install the starter conduit or lead-in connections and supporting infrastructure (usually through lead-in conduit or lead-in trenching) from the existing telecommunications network to a new lot or multi-lot building. To determine if your cabler is registered, please consult:

<http://www.acma.gov.au/theACMA/Library/Corporate-library/Foms-and-registers/is-your-cabler-registered>

In relation to providing pit and pipe design and build fibre ready services the NBN Co has provided a list of some of the pit and pipe suppliers and manufacturers at <http://www.nbnco.com.au/assets/documents/pit-and-pipe-supplier-list.pdf>

If you have a condition on your permit requiring the owner to enter into agreements with telecommunication and fibre ready services, the owner/developer should enter into these agreements as soon as possible; the agreement can take weeks to be processed and this may delay statement of compliance being issued. The statement of compliance will not be issued unless evidence of this agreement is provided from the authorised utility company; any submission from a contractor in relation to lead-ins in established areas must include documentation such as plans, photos of the lead-ins, and the registered person's qualifications.

Prior to issuing the prescribed information under Section 21(1) of the Subdivisions Act 1988 (Vic), United Energy require the developer to establish a group meter box within the common property for any lot that touches common property and is affected by any owners corporation.

**Melbourne Water's Advice**

- The property is not subject to flooding from any of Melbourne Water's assets. Council
- please confirm whether there is any flooding from the local drainage system.

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

- **To access more information regarding other services or online applications that**
- **Melbourne Water offers please visit our website**
- **For general development enquiries contact our Customer Service Centre on 131722.**

**South East Water's Notes**

**The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water. All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.**

**The following South East Water agreement options are available:**

- **Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development**
- **Application to enter into an agreement-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)**
- **Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision)**

**To lodge an application please visit our website: [www.southeastwater.com.au](http://www.southeastwater.com.au)**

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

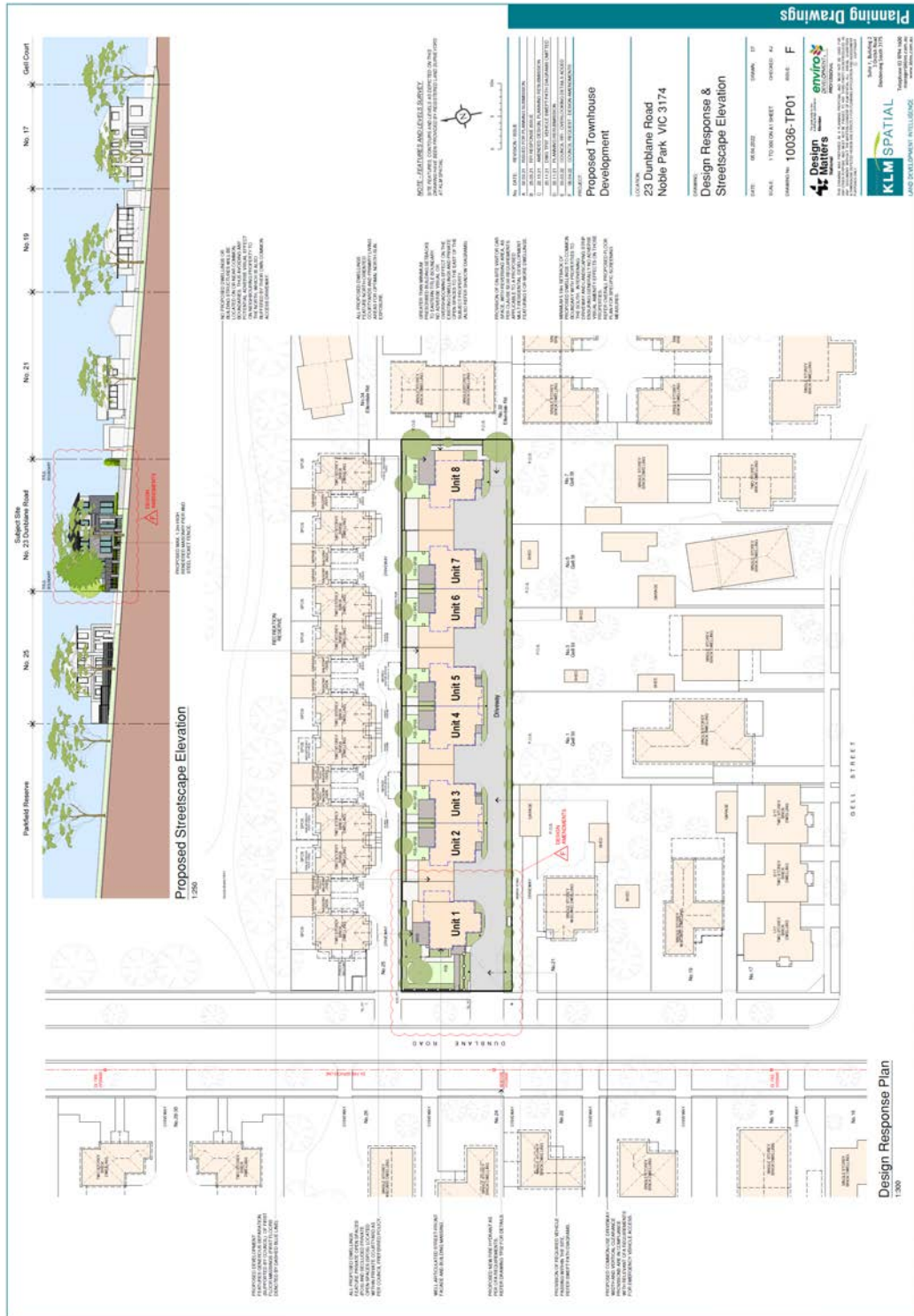
**ATTACHMENT 1**

**SECTION 57A AMENDMENTS PLANS**

**PAGES 9 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**





**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**







**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**





**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**





**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**



2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

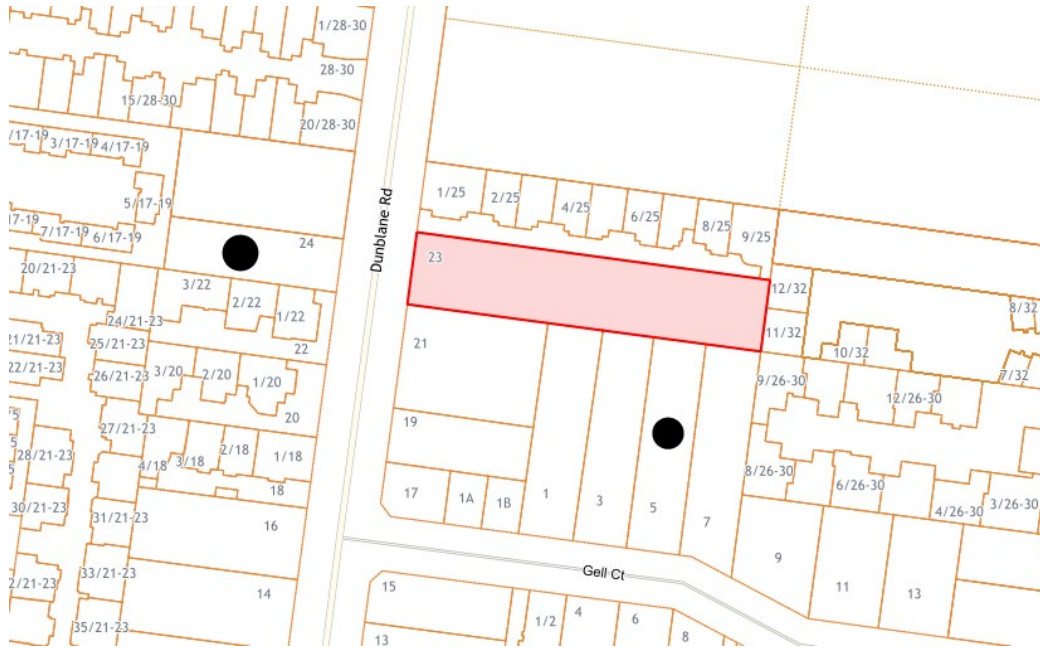
**ATTACHMENT 2**

**LOCATION OF OBJECTORS**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**



Subject Site



LOCATION OF OBJECTOR

MELWAY MAP REF: 89 - G1

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

**ATTACHMENT 3**

**CLAUSE 22.09 ASSESSMENT**

**PAGES 11 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Assessment Table for Clause 22.09**

**Clause 22.09-3.1 Design Principles for all residential developments**

Title /Objective	Principles	Principle met/Principle not met/NA
Safety	<p>To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:</p> <p>Incorporate active frontages including ground floor habitable room windows.</p> <p>Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.</p> <p>Use semi-transparent fences to the street frontage.</p> <p>Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.</p> <p>Ensure that all main entrances are visible and easily identifiable from the street.</p>	<p><b>Principle met/Principle not met/NA</b></p> <p><b>✓ Principle met</b>                      The proposal would have active frontages with ground floor habitable room windows oriented towards the street and common accessway.</p> <p><b>✓ Principle met</b>                      Passive surveillance of street and public realm is provided through windows fronting the street at both ground and upper floor levels. Habitable room windows are oriented towards the internal accessway and car parking areas.</p> <p><b>✓ Principle met</b>                      A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p> <p><b>! Condition required</b>                      High mounted sensor lighting should be requested above each garage together with bollard lighting along the common accessway to provide security at night. This could be conditioned.</p> <p><b>✓ Principle met</b>                      Entrances would face the street and easily identifiable from the street.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ <b>Principle met</b>                  Non habitable rooms would be away from the from the entrances and are considered appropriate.</p>
<b>Landscaping</b>	Residential development should: Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.	<p>✓ <b>Principle met</b>                  A landscape plan has been provided incorporating around the perimeter of the site including the provision of canopy trees.</p>
	Provide substantial, high quality landscaping along vehicular accessways.	<p>✓ <b>Principle met</b>                  A landscape plan has been provided incorporating planting along the common accessway.</p>
	Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.	<p>✓ <b>Principle met</b>                  A landscape plan has been provided incorporating canopy trees within the front setback and within the secluded private open space of each dwelling.</p>
	Planting trees that are common to and perform well in the area.	<p>✓ <b>Principle met</b>                  A landscape plan has been provided incorporating native canopy trees.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p>	<p><b>! Condition required</b>                  There are several trees on the site which would be removed for the development. An Arboricultural Report has been submitted identifying the health of the trees to be removed. Council's arborist has reviewed the Arboricultural Report submitted with the application and advised that the trees are appropriate for removal.                  Council's arborist suggested that the tree on the nature strip (Tree No. 1 identified on the Arboricultural Report) at the front of the site and the large tree (Tree No. 3) on the adjoining land to the south be protected during construction. This could be conditioned.</p>
<p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>	<p><b>✓ Principle met</b>                  The frontages would be capable of accommodating two canopy trees and more than 70% of the street frontage could accommodate landscaping which would be capable of softening the built form when viewed from the street.</p>
<p>Ensure that landscaping also addresses the Safety Design Principles.</p>	<p><b>✓ Principle met</b>                  A landscape plan has been provided incorporating native canopy trees.</p>
<p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p>	<p><b>✓ Principle met</b>                  The proposal would provide well-proportioned setbacks and private open space areas that would allow for canopy trees to be planted and grow to full maturity.</p>
<p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p>	<p><b>✓ Principle met</b>                  Landscaping is proposed that will have a water sensitive design.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	<p><b>! Condition required</b></p> <p>A landscape plan has been provided incorporating native canopy trees. A rainwater tank could be requested as condition of any permit to be granted.</p>
Car parking	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> <li>Well integrated into the design of the building,</li> <li>Generally hidden from view or appropriately screened where necessary,</li> <li>Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level.</li> </ul> <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> <li>Fully located within the site boundary; and</li> <li>Capable of fully accommodating a vehicle between a garage or carport and the site boundary.</li> </ul> <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p><b>✓ Principle met</b></p> <p>The existing crossover would be retained and modified to service the entire development. No new crossover is proposed.</p> <p><b>✓ Principle met</b></p> <p>All car spaces would be located behind Unit 1. The garages and tandem car spaces are well integrated with the development and hidden from the street.</p> <p><b>✓ Principle met</b></p> <p>No parking is located within the frontage.</p> <p><b>Not Applicable</b></p> <p>Basement parking not proposed</p>
Setbacks, front boundary and width	<p>Residential developments should:</p> <p>Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p> <p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p>	<p><b>✓ Principle met</b></p> <p>The proposed setbacks are in keeping with the adjoining dwellings and streetscape pattern. A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p> <p><b>✓ Principle met</b></p> <p>The existing frontage width pattern would not be significantly altered.</p> <p><b>✓ Principle met</b></p> <p>Side setbacks would allow for tree planting.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

Private open space	Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.	<p>✓ <b>Principle met</b> A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p>
	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.	<p>✓ <b>Principle met</b> Each dwelling complies with the minimum secluded private open space areas under the Schedule to the Zone and is directly accessible from the main living area.</p>
	Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.	<p>✓ <b>Principle met</b> Indicative landscaping suggests that the private open spaces are usable spaces for domestic services and outdoor furniture and is capable of accommodating boundary landscaping.</p>
	Private open space should be positioned to maximise solar access.	<p>✓ <b>Principle met</b> The primary secluded private open spaces of the dwellings would be orientated to the north.</p>
	Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.	<p>✓ <b>Principle met</b> The upper floors do not encroach on the ground floor private open space</p>
	Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.	<p><b>Not Applicable</b> Apartments not proposed</p>
Bulk & Built Form	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> <li>• Using similarly proportioned roof forms, windows, doors and verandahs; and</li> <li>• Maintaining the proportion of wall space to windows and door openings.</li> </ul>	<p>✓ <b>Principle met</b> The proposed dwellings are designed to be in keeping with the streetscape and neighbourhood character. The proposal has incorporated a similar roof form, with a pitched roof with eaves. Windows, doors and roof proportions and heights are respectful of the dominant façade pattern within the broader area.</p>
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	<p>✓ <b>Principle met</b> Balconies are not proposed</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> <li>The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or</li> <li>The retention of the existing dwelling detracts from the identified future character.</li> </ul> <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> <li>Not exceeding the height of the neighbouring significant building;</li> <li>Minimising the visibility of higher sections of the new building; and</li> <li>Setting higher sections back at least the depth of one room from the frontage.</li> </ul>	<p>✓ <b>Principle met</b> The existing dwelling would be demolished for the proposed development.</p> <p>✓ <b>Principle met</b> The site is not adjacent to a heritage building</p>
<p>Site Design</p>	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p>	<p>✓ <b>Principle met</b> No issues identified in regard to the overlooking and overshadowing in the Clause 55 assessment.</p> <p>✓ <b>Principle met</b> Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling.</p> <p>✓ <b>Principle met</b> The development would orientate the majority of habitable room windows toward the street where possible to limit the need for screening.</p> <p>✓ <b>Principle met</b> Sufficient setbacks are provided to the front, side and rear to allow for canopy and screen planting.</p> <p>✓ <b>Principle met</b> Storage areas have been provided for each dwelling.</p> <p>✓ <b>Principle met</b> The site is located conveniently close to the Noble Park Train Station which is 500m to the southwest.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

Materials & Finishes	Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes.	<p>✓ <b>Principle met</b> The proposed materials of face bricks and rendered bricks are similar to those found in surrounding residential developments.</p> <p>✓ <b>Principle met</b> Materials are suited to residential developments</p> <p>✓ <b>Principle met</b> The proposal has been well articulated through variation to form and materials and varying setbacks.</p> <p>✓ <b>Principle met</b> The colour palette is of a consistent simple nature.</p> <p>✓ <b>Principle met</b> The materials chosen are durable.</p>	
	Avoid the use of commercial or industrial style building materials and finishes.		
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.		
	Use a consistent simple palette of materials, colours finishes and architectural detailing.		
	Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.		
	Domestic services normal to a dwelling and Building services	<p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p> <p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> <li>• Within secluded private open space areas, including balconies; and</li> <li>• Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.</li> </ul>	<p>✓ <b>Principle met</b> The proposed mail boxes are located adjacent to the street.</p> <p>✓ <b>Principle met</b> Domestic services would be located away from the prime secluded private open space areas. The proposed mail boxes are located adjacent to the streets.</p>
	Internal Amenity	Residential development should: Ensure that dwelling layouts have connectivity between the main living area and private open space.	<p>✓ <b>Principle met</b> Living room and prime POS for each dwelling is connected.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	Be designed to avoid reliance on borrowed light to habitable rooms.	<p>✓ <b>Principle met</b>                  Windows are provided to all habitable rooms and would not rely on borrow light.</p>
	Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.	<p>✓ <b>Principle met</b>                  The development would orientate the majority of habitable room windows toward the street or common accessway.</p>
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.	<p>✓ <b>Principle met</b>                  All the dwellings would have ground floor living areas.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)</b>	
<b>Titles &amp; Objectives</b>	<b>Principles</b>
<b>Preferred housing type</b>	<p>The preferred housing type for the Incremental Change Area is medium density.</p> <p>✓ <b>Principle met</b> Medium density proposed</p>
<b>Building Height</b>	<p>The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.</p> <p>The preferred maximum building height for land within the GRZ3 is 3 storeys, including ground level.</p> <p>✓ <b>Principle met</b> Two storeys proposed</p>
<b>Landscaping</b>	<p>Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties</p> <p>✓ <b>Principle met</b> Adequate space would be reserved for landscaping which could accommodate canopy trees. A landscape plan including canopy trees has been provided.</p>
<b>Setbacks, front boundary and width</b>	<p>Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.</p> <p>✓ <b>Principle met</b> Paving is limited to the 6.1-metre wide crossover and a pedestrian accessway.</p>
<b>Private open space</b>	<p>Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.</p> <p>✓ <b>Principle met</b> The secluded private open space is located at either the side or rear of the dwellings.</p>
<b>Bulk &amp; Built Form</b>	<p>Residential development should:</p> <ul style="list-style-type: none"> <li>ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</li> <li>be well articulated through the use of contrast, texture, variation in forms, materials and colours.</li> </ul> <p>✓ <b>Principle met</b> The built form is not dissimilar to the surrounding developments.</p> <p>Residential development in the GRZ1 and GRZ2 should:</p> <ul style="list-style-type: none"> <li>provide separation between dwellings at the upper level;</li> <li>retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</li> <li>position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</li> </ul> <p>✓ <b>Principle met</b> The first floors of Units 2 and 3 would be attached as well as the first floors of Units 4 and 5 and Units 6 and 7. The extent of the first floor attachments are not excessive. It is noted that the adjoining development to the north has similar first floor attachment. The first floor attachment to some sections of the development is not out of character to the area. No clear spine of open space located on the site.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>Within the GRZ1 and GRZ2 the rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot in the GRZ1 and GRZ2 may be considered where:</p> <ul style="list-style-type: none"> <li>the visual impact of the building bulk does not adversely affect the identified future character of the area; overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;</li> <li>the building bulk does not adversely affect the planting and future growth of canopy trees to maturity;</li> <li>sufficient side and rear boundary landscaping can be provided to screen adjoining properties;</li> <li>upper storey components are well recessed from adjoining sensitive interfaces.</li> </ul>	<p><b>✓ Principle met</b></p> <p>No clear spine of open space located on the site. The proposed two storey dwelling to the rear of the lot is considered appropriate due to the following:</p> <ul style="list-style-type: none"> <li>The adjoining land to the north also has double storey dwellings throughout the depth of the lot including the last dwelling at the rear.</li> <li>The two storey dwellings would not result in visual bulk to the surrounding developments or the streets due to the well articulated design.</li> <li>The proposed development would not result in overlooking or overshadowing to the secluded private open spaces or habitable room windows of the adjoining properties.</li> <li>The proposed development would have adequate space for canopy trees including space for future canopy trees spread as the first floors would not cantilever over the ground floors.</li> <li>The landscape plan shows that there would be substantial landscaping along the front, side and rear boundaries.</li> <li>The upper storey of Unit 8 is well recessed from the ground floor and well setbacks from the adjoining properties.</li> </ul>
	<p>Separation between upper levels of dwellings on a site in the GRZ3 is not generally needed, provided the building portrays a high standard of design and does not result in unreasonable amenity impacts.</p>	<p><b>N/A</b></p> <p>The site is within the GRZ1 and not within the GRZ3.</p>

**Note: Other requirements also apply. These can be found at the schedule to the applicable zone.**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

**ATTACHMENT 4**

**CLAUSE 52.06 ASSESSMENT**

**PAGES 6 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Assessment Table - Clause 52.06**

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

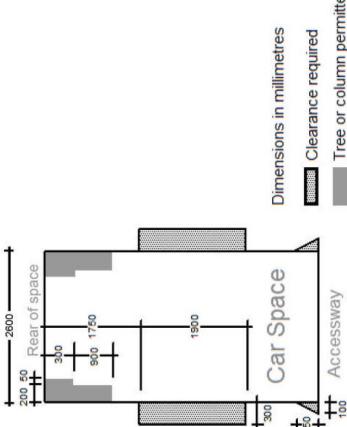
Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	Accessways must: <ul style="list-style-type: none"> <li>Be at least 3 metres wide.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The proposed accessway would be 6.1 metres wide for a length of 7m. The accessway would narrow down to 3m throughout the length of the site.</p> <p>The proposal was referred to Council's Transport Planning team, who had no concern with the proposed parking layout.</p>
	<ul style="list-style-type: none"> <li>Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>There would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.</p>
	<ul style="list-style-type: none"> <li>Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.</li> </ul>	<p><b>Not Applicable</b></p>
	<ul style="list-style-type: none"> <li>Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The accessway or garage doors would have a headroom clearance of at least 2.1m.</p>
	<ul style="list-style-type: none"> <li>If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>There would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.</p>
	<ul style="list-style-type: none"> <li>Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The accessway would serve seventeen (17) car spaces and would be up to 97m long.</p> <p>A passing area measuring 6.1 metres wide for a length of 7m would be provided.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<ul style="list-style-type: none"> <li>Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</li> </ul> <p>If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.</p> <p>If entry to the car space is from a road, the width of the accessway may include the road.</p>	<p><b>! Condition required</b>                  The ground floor plan has annotated that the 2m x 2.5m splay at the entrance of the driveway would have a minimum 50% clear sight line at vehicle exit to maximum height of 1m above natural ground level.                  Any structure within the splayed area should be lowered to 0.9m high. This could be conditioned.</p> <p><b>Not Applicable</b>                  The site does not adjoin a Transport Zone.</p> <p><b>Not Applicable</b></p>																																
<p><b>Design standard 2 – Car parking spaces</b></p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p><b>Table 2: Minimum dimensions of car parking spaces and accessways</b></p> <table border="1" data-bbox="630 884 917 1556"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p><b>! Condition required</b>                  Based on the scale provided, the tandem car spaces of Units 2 to 7 appear to be more than 2.6m wide by 4.9m long. A condition could be included on any permit to be granted to confirm the required dimensions.</p>
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																															
Parallel	3.6 m	2.3 m	6.7 m																															
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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>✓ Standard met</b>                  Proposed garages and car spaces provided would have sufficient internal clearance and not obstructed.</p>	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> <li>• A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</li> <li>• A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul> <p><b>Diagram 1 Clearance to car parking spaces</b></p>  <p>Dimensions in millimetres                  ■ Clearance required                  ■ Tree or column permitted</p>	<p><b>✓ Standard met</b>                  The double garages provided would be 5.5m wide x 6m long and single garages would be 3.5m wide by 6m long.</p>
<p><b>! Condition required</b>                  Based on the scale provided, the gap between the garages and tandem car spaces appears to be 500mm. A condition could be included on any permit to be granted to confirm the dimension.</p>	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p> <p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>	<p><b>✓ Standard met</b>                  Each dwelling would have at least 1 undercover car space.</p>
<p><b>✓ Standard met</b>                  Each dwelling would have at least 1 undercover car space.</p>	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>	<p><b>✓ Standard met</b>                  Each dwelling would have at least 1 undercover car space.</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>	<p><b>Not Applicable</b></p>													
<p><b>Design standard 3: Gradients</b></p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p>	<p><b>✓ Standard met</b>                  The land has a fall of 5.4m from the rear to the front. The grades of the driveway would not be steeper than 1:10 within 5m of the frontage.</p>													
	<p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p>	<p><b>✓ Standard met</b></p>													
	<p><b>Table 3: Ramp gradients</b></p> <table border="1" data-bbox="502 873 710 1545"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	<p><b>✓ Standard met</b></p>
Type of car park	Length of ramp	Maximum grade													
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Private or residential car parks	20 metres or less	1:4 (25%)													
	longer than 20 metres	1:5 (20%)													
	<p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p>	<p><b>✓ Standard met</b></p>													
<p><b>Design standard 4: Mechanical parking</b></p>	<p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p> <p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> <li>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.</li> <li>Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.</li> <li>The design and operation is to the satisfaction of the responsible authority.</li> </ul>	<p><b>Not Applicable</b>                  No mechanical parking proposed.</p> <p><b>Not Applicable</b></p> <p><b>Not Applicable</b></p>													
<p><b>Design standard 5: Urban design</b></p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p><b>✓ Standard met</b>                  All car spaces would be behind Unit 1 and not dominate the street.</p>													

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p> <p>Design of new internal streets in developments must maximise on street parking opportunities.</p> <p>Car parking must be well lit and clearly signed.</p>	<p>✓ <b>Standard met</b> Car parking within the garages would integrate with the design of the building and would not be visually dominating.</p> <p>✓ <b>Standard met</b> Proposed car parks are appropriate.</p> <p><b>Not Applicable</b></p>
<b>Design standard 6: Safety</b>	<p>Car parking must be well lit and clearly signed.</p> <p>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</p> <p>Pedestrian access to car parking areas from the street must be convenient.</p> <p>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</p>	<p>! <b>Condition required</b> Security lighting could be required as a condition of any permit to be granted.</p> <p>✓ <b>Standard met</b> The car spaces and common driveway would have natural surveillance from the ground floors habitable room windows.</p> <p>✓ <b>Standard met</b> Access to the car parking areas would be convenient from the street.</p> <p>✓ <b>Standard met</b> The street adjoining the site is not a high traffic street.</p>
<b>Design standard 7: Landscaping</b>	<p>The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.</p> <p>Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.</p> <p>Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.</p>	<p>✓ <b>Standard met</b> Landscaping would be provided along both sides of the accessway to provide adequate catchment areas for water run-off.</p> <p>✓ <b>Standard met</b> Landscaping would be provided along both sides of the accessway to soften the appearance of the driveway.</p> <p>✓ <b>Standard met</b> Substantial landscaping and adequate spacing for canopy trees have been provided.</p>



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

**ATTACHMENT 5**

**CLAUSE 55 ASSESSMENT**

**PAGES 31 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)**

**Clause 55.02-1 Neighbourhood character objectives**

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B1	The design response must be appropriate to the neighbourhood and the site.	<p><b>Standard met</b></p> <p>The design response is considered appropriate in the context of the site and surrounding area, with a proposal for a medium density residential development in an established and well-serviced area.</p> <p>At a site level, the design response has considered matters relating to overshadowing and overlooking, with compliance with all relevant standards and objectives.</p> <p>The provision of areas of landscaping responds to the landscaped character of the surrounding area and the use of brickwork, rendered first floor and pitched roofing generally matches the style and materials palette of the wider area.</p> <p>The proposal has been designed in a way to respect the area while delivering on the expectations for medium density development.</p> <p>See Clause 22.09 Assessment for further discussion.</p>
Decision Guidelines	<p>The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The neighbourhood and site description.</p> <p>The design response.</p>	<p><b>Standard met</b></p> <p>See Clause 22.09 Assessment for further discussion.</p>
Objectives	<p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.02-2 Residential policy objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B2</b>	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	The PPF and the LPPF including the MSS and local planning policies. The design response.	<b>Standard met</b> The application was accompanied by a written assessment of the proposal against the relevant PPF and Local Policies.
<b>Decision Guidelines</b>	To ensure that residential development is provided in accordance with any policy for housing in the PPF and the LPPF, including the MSS and local planning policies. To support medium densities in areas where development can take advantage of public and community infrastructure and services.		<b>Objective met</b>

**Clause 55.02-3 Dwelling diversity objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B3</b>	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> <li>• Dwellings with a different number of bedrooms.</li> <li>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>		<b>N/A</b> As less than 10 dwellings proposed.
<b>Objective</b>	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.		<b>Objective met</b>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.02-4 Infrastructure objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B4</b>	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	<p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p> <p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p> <p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p>
<b>Decision Guidelines</b>	<p>The capacity of the existing infrastructure.</p> <p>In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017.</p> <p>If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.</p>	
<b>Objectives</b>	<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p><b>Objective met</b></p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.02-5 Integration with the street objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B5</b>	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Developments should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p> <p>Any relevant urban design objective, policy or statement set out in this scheme. The design response.</p>	<p><b>Standard met</b> Each dwelling is accessible by vehicles and pedestrians.</p> <p><b>Standard met</b> The front dwelling would face Dunblane Road. The remaining units face the internal accessway.</p> <p><b>Standard met</b> A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p> <p><b>N/A</b> The site is not next to public open space.</p>
<b>Decision Guidelines</b>		
<b>Objective</b>	To integrate the layout of development with the street.	<b>Objective met</b>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.03-1 Street setback objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B6	Walls of buildings should be set back from streets: <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, the distance specified in Table B1.</li> </ul> Porches, pergolas, and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.  <b>GRZ1: 7.5 metres or as per Table B1, whichever is the lesser.</b>	✓ <b>Standard met</b> The proposed Unit 1 would have a front setback from Dunblane Road of 7.6m.

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.  If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.  Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.
<b>Decision Guidelines</b>	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 from adjoining properties.  The value of retaining vegetation within the front setback.	
<b>Objective</b>	To ensure that the setbacks of buildings from a street respect the existing or preferred		✓ Objective met

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

neighbourhood character and make efficient use of the site.	
<b>Clause 55.03-2 Building height objective</b>	
<b>Title &amp; Objective</b>	<b>Standards</b>
<b>Standard B7</b>	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.  <b>GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</b></p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>
<b>Decision Guidelines</b>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p>
<b>Objective</b>	To ensure that the height of buildings respects the existing or preferred neighbourhood character
	<p><b>Standard Met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b> Proposed maximum height is 8.1m (Unit 7 – South elevation).</p> <p><b>N/A</b></p> <p>✓ <b>Standard met</b> The proposed first floors would be generally recessed from the ground floors to provide a transition of single storey element to the surrounding developments.</p> <p><b>Objective met</b></p>



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.03-3 Site coverage objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B8</b>	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>• The maximum site coverage specified in a schedule to the zone, or</li> <li>• If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul>	<ul style="list-style-type: none"> <li>• The site area covered by buildings should not exceed:</li> <li>• The maximum site coverage specified in a schedule to the zone, or</li> <li>• If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul>	✓ <b>Standard met</b> Lot size 2023sqm Maximum site coverage permitted: 60%. Site coverage provided: 36.7%
<b>Decision Guidelines</b>	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.		
<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>Objective met</b>

**Clause 55.03-4 Permeability objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B9</b>	The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> <li>• The minimum areas specified in a schedule to the zone, or</li> <li>• If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> </ul> The stormwater management system should be designed to: <ul style="list-style-type: none"> <li>• Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> <li>• Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul> <b>GRZ1: 30%</b>	<ul style="list-style-type: none"> <li>• The site area covered by the pervious surfaces should be at least:</li> <li>• The minimum areas specified in a schedule to the zone, or</li> <li>• If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> </ul> The stormwater management system should be designed to: <ul style="list-style-type: none"> <li>• Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> <li>• Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul> <b>GRZ1: 30%</b>	✓ <b>Standard met</b> Minimum permeability required: 30%. Permeability provided: 30.1%.
<b>Decision</b>	The design response.		

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Guidelines</b>	The existing site coverage and any constraints imposed by existing development.
	The existing site coverage and any constraints imposed by existing development.
	The capacity of the drainage network to accommodate additional stormwater.
	The capacity of the site to absorb run-off.
	The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
<b>Objectives</b>	Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
	To reduce the impact of increased stormwater run-off on the drainage system.
	To facilitate on-site stormwater infiltration.
	To encourage stormwater management that maximises the retention and reuse of stormwater.
	✓ <b>Objective met</b>

**Clause 55.03-5 Energy efficiency objectives**

Title & Objective		Standard Met/Standard Not Met/NA
<b>Standard B10</b>	<p>Buildings should be:</p> <ul style="list-style-type: none"> <li>Oriented 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> <li>Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ <b>Standard met</b>                      All the dwellings would be provided with north-facing windows.</p>
	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>✓ <b>Standard met</b>                      The primary secluded private open spaces of the dwellings would be orientated to the north.</p>
<b>Decision Guidelines</b>	<p>The design response.</p> <p>The size, orientation and slope of the lot.</p> <p>The existing amount of solar access to abutting properties.</p> <p>The availability of solar access to north-facing windows on the site.</p>	<p>✓ <b>Standard met</b>                      All the dwellings would be provided with north-facing windows.</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.</p> <p>Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.</p> <p>The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.</p> <p>To achieve and protect energy efficient dwellings and residential buildings.</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>Objective met</b></p>
<b>Objectives</b>		

**Clause 55.03-6 Open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B11</b>	<p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul>	<p>N/A</p> <p>No communal or public open space proposed.</p>
<b>Decision Guidelines</b>	<p>Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework</p> <p>The design response.</p>	
<b>Objective</b>	<p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p> <p>✓ <b>Objective met</b></p>	

**Clause 55.03-7 Safety objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B12</b>	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p>	<p>✓ <b>Standard met</b></p> <p>The entry to each dwelling would be visible from Dunblane Road or the accessway.</p> <p>✓ <b>Standard met</b></p> <p>Planting along the shared accessways would be low ground cover plants which would not reduce visibility of the entrances of the dwellings.</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p><b>! Condition required</b>                  Security lighting provided could be required above each garage and along the common driveway. This could be conditioned.</p> <p><b>✓ Standard met</b>                  Private spaces are delineated by fencing.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.</p>	
<p><b>Objectives</b></p>	<p>To ensure the layout of development provides for the safety and security of residents and property.</p>	<p><b>✓ Objective met</b></p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.03-8 Landscaping objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B13</b>	The landscape layout and design should: <ul style="list-style-type: none"> <li>• Protect any predominant landscape features of the neighbourhood.</li> <li>• Take into account the soil type and drainage patterns of the site.</li> <li>• Allow for intended vegetation growth and structural protection of buildings.</li> <li>• In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>• Provide a safe, attractive and functional environment for residents.</li> </ul> Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.	<p><b>Standard met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b>                      A landscape plan has been provided incorporating canopy trees within the front setback and within the secluded private open space of each dwelling.</p>
		<p>✓ <b>Standard met</b>                      There are several trees on the site which would be removed for the development. An Arboricultural Report has been submitted identifying the health of the trees to be removed. Council's arborist has reviewed the Arboricultural Report submitted with the application and advised that the trees are appropriate for removal. The trees to be removed are not significant to the area. The landscape plan provided has incorporated replacement trees to be provided.</p>
	Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made	<p>✓ <b>Standard met</b>                      No significant trees would be removed.                      A landscape plan has been provided incorporating canopy trees within the front setback and within the secluded private open space of each dwelling.</p>
	The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.	<p>✓ <b>Standard met</b>                      As above, a landscape plan has been provided.</p>
	Development should meet any additional landscape requirements specified in a schedule to the zone. <b>All schedules to all residential zones:</b> <b>"70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</b>	<p>✓ <b>Standard met</b>                      70% of the front, side and rear setback areas would be provided with landscaping.</p>
<b>Decision Guidelines</b>	Any relevant neighbourhood character objective, policy or statement set out in this scheme. Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework. The design response.	

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>
<b>Objectives</b>	<p><b>! Objective met subject to conditions</b></p>

**Clause 55.03-9 Access objective**

Standards		Standard Met/Standard Not Met/NA
<b>Title &amp; Objective</b>		
<b>Standard B14</b>	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise retention of on-street car parking spaces.</p>	<p><b>Standard met</b></p> <p>Street frontage to Dunblane Road = 20.12m                      Maximum accessway width permitted: 33% or 6.64m                      Accessway width provided: 30.3% or 6.1m</p> <p><b>Standard met.</b></p> <p>The crossover would be 6.1m wide which would be shared by all eight (8) dwellings. The crossover is not provided to any individual dwelling and complies.</p> <p><b>Standard met</b></p> <p>Whilst one (1) on-street car space would be lost due to the proposed 6.1m wide crossover, the width of the crossover is necessary to provide a passing area at the front of the site required by Design Standard 1 of Clause 52.06 (Car Parking). There would be adequate space adjacent to the site to accommodate one (1) on-street parking.</p>
	<p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p><b>N/A</b></p> <p>The site does not adjoin a Transport Zone.</p> <p><b>Standard met</b></p> <p>The accessway provided would be adequate in size for service, emergency and delivery vehicles.</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Decision Guidelines</b>	<p>The design response.</p> <p>The impact on neighbourhood character.</p> <p>The reduction of on-street car parking spaces.</p> <p>The effect on any significant vegetation on the site and footpath.</p>
<b>Objectives</b>	<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>
	<p>✓ <b>Objective met</b></p>

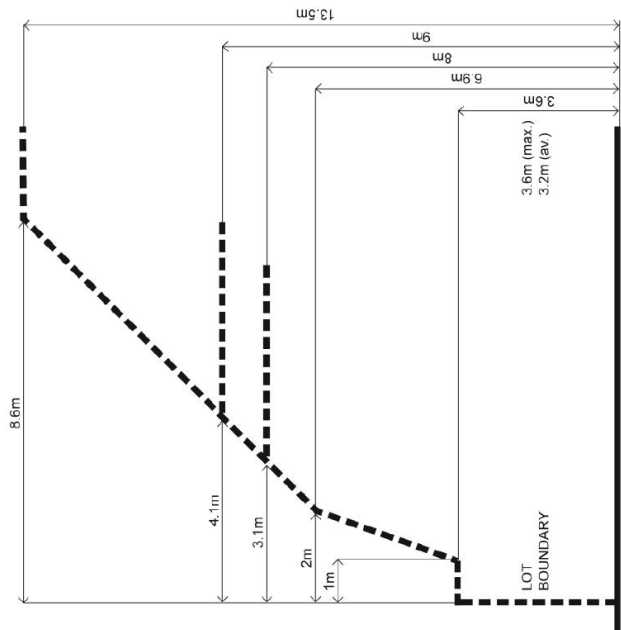
**Clause 55.03-10 Parking location objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B15</b>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b></p> <p>Car parking facilities for each dwelling would be close and convenient for each dwelling. The garages of each dwelling would be secure and would be capable of being well ventilated.</p> <p>! <b>Variation required / condition required</b></p> <p>The south facing living room windows of Units 2 to 7 would be less than 1m from the common accessway. It is recommended that noise attenuated glazing should be provided to the windows to limit vehicle noise from the common driveway to the window.</p> <p>It is considered that the objective is met as the noise attenuated glazing would limit noise from the driveway to the habitable room windows. In addition, the habitable room windows are to living rooms and not bedrooms. Thus, future residents would not be within the living rooms late into the night. The minor variation of 0.32m to the setback of these windows are considered acceptable in this instance.</p>
<b>Decision Guidelines</b>	<p>The design response.</p>	
<b>Objectives</b>	<p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	<p>! <b>Objective met subject to condition</b></p>



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.04-1 Side and rear setbacks objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B17</b></p>	<p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p><b>Diagram B1 Side and rear setbacks</b></p>  <p>The diagram illustrates a lot boundary (dashed line) and various setback lines. The setbacks from the boundary are: 1m, 2m, 3.1m, 4.1m, 6.9m, 8m, 9m, and 13.5m. A dashed line shows a height-based setback profile starting at 1m, rising to 2m, then 3.1m, 4.1m, 6.9m, 8m, 9m, and finally 13.5m. A vertical dimension of 8.6m is shown on the left side of the diagram. A label 'LOT BOUNDARY' is present near the bottom right of the diagram.</p>	<p><b>Standard met</b></p> <p>The diagrams on the elevation plans show that the walls not on the boundaries would be setback in accordance with this standard.</p>
	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may</p>	<p><b>Standard met</b></p> <p>There are no encroachments more than 0.5m into the</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	encroach not more than 0.5 metres into the setbacks of this standard.	setback area.
<b>Decision Guidelines</b>	<p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p> <p>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.</p>	<p>✓ <b>Standard met</b>                  There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p>
<b>Objectives</b>		✓ <b>Objective met</b>

**Clause 55.04-2 Walls on boundaries objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B18</b>	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary.</p> <ul style="list-style-type: none"> <li>• For a length of more than the distance specified in the schedule to the zone; or</li> <li>• If no distance is specified in a schedule to the zone, for a length of more than:                             <ul style="list-style-type: none"> <li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> </ul> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	<p><b>Standard Met/Standard Not Met/NA</b>                  ✓ <b>Standard met</b>                  No wall is proposed on any boundaries.</p> <p>✓ <b>Standard met</b></p> <p>✓ <b>Standard met</b></p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>✓ <b>Standard met</b></p>
<p><b>Decision Guidelines</b></p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>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.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p> <p>The need to increase the wall height to screen a box gutter.</p>	
<p><b>Objectives</b></p>	<p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>✓ <b>Objective met</b></p>

**Clause 55.04-3 Daylight to existing windows objective**


Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B19</b></p>	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent 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.</p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b>                      Light courts of habitable room windows on the adjoining properties would not be impacted by the proposed development.</p> <p>✓ <b>Standard met</b>                      Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p><b>Diagram B2 Daylight to existing windows</b></p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	
<p><b>Decision Guidelines</b></p>	<p>The design response.</p> <p>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.</p> <p>The impact on the amenity of existing dwellings.</p> <p>To allow adequate daylight into existing habitable room windows.</p>	
<p><b>Objective</b></p>		<p>✓ <b>Objective met</b></p>



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	 <p>Applies where existing HRW is between 20° West and 30° east from north</p>	
<b>Decision Guidelines</b>	The design response: Existing sunlight to the north-facing habitable room window of the existing dwelling. The impact on the amenity of existing dwellings.	
<b>Objective</b>	To allow adequate solar access to existing north-facing habitable room windows.	✓ <b>Objective met</b>

**Clause 55.04-5 Overshadowing open space objective**

<b>Title &amp; Objective</b>	<b>Standards</b>	<b>Standard Met/Standard Not Met/NA</b>
<b>Standard B21</b>	Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.	✓ <b>Standard met</b> The only adjoining land that will be partially overshadowed by the proposed development is the adjoining land to the east at 11/22 Ellendale Road. However, only 1 hour at 3pm would be overshadowed. From 9am to 2pm, the proposed development would not overshadow the secluded private open space of 11/22 Ellendale Road and complies, as the standard requires only 5 hours between 9am to 3pm of the adjoining properties secluded private open space to be clear of overshadowing.
<b>Decision Guidelines</b>	If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. 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 will be available to the secluded private open space of the existing dwelling. The effect of a reduction in sunlight on the existing use of the existing secluded private open space.	✓ <b>Standard met</b> As above.

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>Objective</b></p>	<p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>✓ <b>Objective met</b></p>
<p><b>Clause 55.04-6 Overlooking objective</b></p>		
<p><b>Title &amp; Objective</b></p>		
<p><b>Standard B22</b></p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p><b>Diagram B4 Overlooking open space</b></p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p><b>! Condition required</b></p> <p>All shared boundary fences with the adjoining properties would be at least 1.8m high. There would no overlooking from the ground floor habitable room windows to the adjoining properties.</p> <p>The adjoining property to the north contains nine (9) double storey dwellings with a common driveway located adjacent to the subject site. Thus, the proposed first floor north facing habitable room windows are not required to be obscured as they would only overlook the driveway of the adjoining land to the north.</p> <p>There would be no first floor habitable room windows facing the adjoining land to the east.</p> <p>To the south, the land at 21 Dunblane Road has a driveway located adjacent to the site. The land at Nos. 1, 3, 5 and 7 Gall Court have their secluded private open spaces located adjacent to the subject site.</p> <p>Whilst the 1.8m high southern boundary fence would provide some screening to the secluded private open spaces of the adjoining land to the south, due to the slope of the land which has a fall of up to 5m from the rear to the front which would exacerbate overlooking from the first floor south facing bedroom windows of Units 2 to 8. Therefore, it is recommended that fixed obscured glazing should be provided to these windows. This could be conditioned.</p>
	<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at</p>	<p>✓ <b>Standard met</b></p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

	<p>ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.</p>	<p>As above.</p> <p>✓ <b>Standard met</b> As above.</p>
	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>N/A</p> <p>✓ <b>Standard met</b> As above.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.</p> <p>The impact on the amenity of the secluded private open space or habitable room window.</p> <p>The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.</p> <p>The internal daylight to and amenity of the proposed dwelling or residential building.</p>	
<p><b>Objective</b></p>	<p>To limit views into existing secluded private open space and habitable room windows.</p>	<p>✓ <b>Objective met</b></p>

**Clause 55.04-7 Internal views objective**

<p><b>Title &amp; Objective</b></p>	<p><b>Standards</b></p>	<p><b>Standard Met/Standard Not Met/NA</b></p>
<p><b>Standard B23</b></p>	<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>✓ <b>Standard met</b> There would be no internal overlooking.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.</p>	



**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Objective</b>	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	<b>Objective met</b>
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**Clause 55.04-8 Noise impacts objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B24</b>	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.  Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.  Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	<b>Standard met</b> No noise sources apparent.  <b>Standard met</b> No noise sources apparent.  <b>Standard met</b> The site does not adjoin busy roads, railway lines or industry.
<b>Decision Guidelines</b>	The design response.	
<b>Objectives</b>	To contain noise sources within development that may affect existing dwellings.  To protect residents from external noise.	<b>Objective met</b>

**Clause 55.05-1 Accessibility objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B25</b>	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	<b>Standard met</b> The floor levels proposed are not excessive high and could be accessible to people with limited mobility.
<b>Objective</b>	To encourage the consideration of the needs of people with limited mobility in the design of developments.	<b>Objective met</b>

**Clause 55.05-2 Dwelling entry objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
		<b>Standard Met/Standard Not Met/NA</b>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>Standard B26</b></p>	<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	<p>✓ <b>Standard met</b>                  The entrance to each dwelling is provided with an entry point to provide a sense of address and can be identified from the street or the internal accessway.</p>
<p><b>Objective</b></p>	<p>To provide each dwelling or residential building with its own sense of identity.</p>	<p>✓ <b>Objective met</b></p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.05-3 Daylight to new windows objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B27</b>	A window in a habitable room should 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 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>• A verandah provided it is open for at least on third of its perimeter, or</li> <li>• A carport provided it has two or more open sides and is open for at least on third of its perimeter.</li> </ul>	✓ <b>Standard met</b> Each habitable room window would face an outdoor space.
<b>Decision Guidelines</b>	The design response. Whether there are other windows in the habitable room which have access to daylight.	
<b>Objective</b>	To allow adequate daylight into new habitable room windows.	✓ <b>Objective met</b>

**Clause 55.05-4 Private open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>Standard B28</b></p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p><b>GRZ1:</b> <i>An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or</i></p> <p><i>A rooftop area of 10 square metres with a minimum width of 2.0 metres and convenient access from a living room.</i></p>	<p><b>✓ Standard met</b></p> <p>The areas of private open spaces for the dwellings are as follow (in square metres):</p> <table border="1" data-bbox="256 327 501 911"> <thead> <tr> <th></th> <th>Ground floor private open space (sqm)</th> <th>Ground floor secluded private open space (sqm)</th> <th>Total (sqm)</th> </tr> </thead> <tbody> <tr> <td>Unit 1</td> <td>95.4</td> <td>31.2</td> <td>126.6</td> </tr> <tr> <td>Unit 2</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 3</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 4</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 5</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 6</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 7</td> <td>N/A</td> <td>50.6</td> <td>50.6</td> </tr> <tr> <td>Unit 8</td> <td>N/A</td> <td>103</td> <td>103</td> </tr> </tbody> </table> <p>Each dwelling would be provided with a minimum of 50sqm of private open space with one part comprising secluded private open space with a minimum area of 30sqm and a minimum dimension of 5m. The prime secluded private open space of Unit 1 would protrude into the front setback area by 1.44m. The minor protrusion is considered acceptable having considered that five (5) canopy trees would be provided to the front of the prime secluded private open space to screen it from the street.</p>		Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)	Unit 1	95.4	31.2	126.6	Unit 2	N/A	50.6	50.6	Unit 3	N/A	50.6	50.6	Unit 4	N/A	50.6	50.6	Unit 5	N/A	50.6	50.6	Unit 6	N/A	50.6	50.6	Unit 7	N/A	50.6	50.6	Unit 8	N/A	103	103
	Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)																																			
Unit 1	95.4	31.2	126.6																																			
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Unit 4	N/A	50.6	50.6																																			
Unit 5	N/A	50.6	50.6																																			
Unit 6	N/A	50.6	50.6																																			
Unit 7	N/A	50.6	50.6																																			
Unit 8	N/A	103	103																																			
<p><b>Decision Guidelines</b></p>	<p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	<p>N/A</p>																																				
	<p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>																																					

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>Objective</b></p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>✓ <b>Objective met</b></p>
<p><b>Clause 55.05-5 Solar access to open space objective</b></p>		
<p><b>Title &amp; Objective</b></p>	<p><b>Standard Met/Standard Not Met/NA</b></p>	
<p><b>Standard B29</b></p>	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>✓ <b>Standard met</b>                  The primary secluded private open spaces of the dwellings would be orientated to the north.</p>
<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.  <b>Diagram B5 Solar access to open space</b></p>	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.  <b>Diagram B5 Solar access to open space</b></p>	<p>✓ <b>Standard met</b>                  The primary secluded private open spaces of the dwellings would be orientated to the north.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.                  The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
<p><b>Objective</b></p>	<p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p> <p>✓ <b>Objective met</b></p>	

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.05-6 Storage objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B30</b>		Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	<b>Standard met</b> Each dwelling provided with a minimum 6 cubic metres of external storage in form of a storage shed.
<b>Objective</b>		To provide adequate storage facilities for each dwelling.	<b>Objective met</b>

**Clause 55.06-1 Design detail objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B31</b>		The design of buildings, including: <ul style="list-style-type: none"> <li>• Façade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> should respect the existing or preferred neighbourhood character.	<b>Standard met</b> The proposed front setback, external materials and roof form is consistent with the existing and preferred character of the area.
<b>Decision Guidelines</b>		Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.  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.	<b>Standard met</b> The garages would be to the rear of Unit 1 and hidden from the street.
<b>Objective</b>		To encourage design detail that respects the existing or preferred neighbourhood character.	<b>Objective met</b>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<b>Clause 55.06-2 Front fences objective</b>		<b>Standard Met/Standard Not Met/NA</b>						
<b>Title &amp; Objective</b>	<b>Standards</b>							
<b>Standard B32</b>	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone, or</li> </ul> <p><b>All schedules to all residential zones:</b></p> <p><b>“Maximum 1.5 metre height in streets in a Transport 2 Zone          1.2 metre maximum height for other streets”</b></p> <ul style="list-style-type: none"> <li>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</li> </ul> <p><b>Table B3 Maximum front fence height</b></p> <table border="1"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres	<p><b>Standard met</b>                      A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p> <p><b>Standard met</b>                      A 1.2m high masonry pier &amp; metal picket front fence is proposed.</p>
Street Context	Maximum front fence height							
Streets in a Road Zone, Category 1	2 metres							
Other streets	1.5 metres							
<b>Decision Guidelines</b>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p>							
<b>Objective</b>	To encourage front fence design that respects the existing or preferred neighbourhood character.	<b>Objective met</b>						

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Clause 55.06-3 Common property objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B33</b>		Developments should clearly delineate public, communal and private areas.	<b>Standard met</b> Appropriate fencing has been including to delineate private areas.
<b>Objectives</b>		Common property, where provided, should be functional and capable of efficient management. To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	<b>Standard met</b> The driveway would form common property. This area would be functional and capable of efficient management. <b>Objective met</b>

**Clause 55.06-4 Site services objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B34</b>		The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents.	<b>Standard met</b> Adequate space has been allocated for services. <b>Standard met</b> Mailboxes for the development provided to front of site. Each unit provided with bin area and communal meter boxes provided. <b>Standard met</b> Rubbish and recycling bins located within POS area of each unit.
<b>Decision Guidelines</b>		Mailboxes should be provided and located for convenient access as required by Australia Post. The design response.	<b>Standard met</b> Mailboxes provided.
<b>Objectives</b>		To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.	<b>Objective met</b>



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**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 23 DUNBLANE ROAD, NOBLE  
PARK (PLANNING APPLICATION NO. PLN21/0092)**

**ATTACHMENT 6**

**CLAUSE 55 ASSESSMENT**

**PAGES 4 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

**Assessment Table - Residential Subdivision (Clause 56)**

Whilst there are 30 standards under Clause 56, only the below standards are considered relevant to the proposal for the subdivision of 3 to 15 lots in accordance with the provision of Clause 32.08-3 (General Residential Zone: Subdivision):

OBJECTIVE	STANDARD	RESPONSE
<p><b>Clause 56.03-5 - Neighbourhood Character</b></p> <ul style="list-style-type: none"> <li>To design subdivisions that respond to neighbourhood character.</li> </ul>	<p><b>Standard C6</b>                      Subdivision should:</p> <ul style="list-style-type: none"> <li>Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement.</li> <li>Respond to and integrate with the surrounding urban environment.</li> <li>Protect significant vegetation and site features.</li> </ul>	<p><b>Standard met</b></p> <p>The eight lot subdivision respects the existing neighbourhood character and achieves a preferred neighbourhood character consistent with Clause 22.09 and Clause 55.</p>
<p><b>Clause 56.04-2 - Lot Area and Building Envelopes</b></p> <ul style="list-style-type: none"> <li>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</li> </ul>	<p><b>Standard C8</b></p> <ul style="list-style-type: none"> <li>Lots less than 300m<sup>2</sup> should be accompanied by information that shows that the lots are consistent or contain a building envelope consistent with a development approved under the scheme, or that a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</li> <li>Lots of between 300 and 500m<sup>2</sup> should contain a building envelope that is consistent with a development of the lot approved under this scheme; or, if no development has been approved, contain a rectangle building envelope measuring 10m x 15m, or 9m x 15m if a boundary wall is nominated as part of the building envelope.</li> <li>Lots greater than 500m<sup>2</sup> should be able to contain a 10m x 15m rectangle, and may contain a building envelope.</li> <li>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54 unless the objectives of the standard are met and the building envelope is shown as a restriction on a plan of subdivision, or is specified as a covenant in an agreement under Section 173 of the Act.</li> <li>Lot dimensions and building envelopes should protect: solar access and allow for the energy rating requirements of the Building Regulations to be achieved; existing or proposed easements; and, significant vegetation and site features.</li> </ul>	<p><b>Standard met</b></p> <p>The site is 2023.6sqm.                      Each lot would have an approximately area of 250sqm.                      A development plan has been included as part of this application.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<p><b>Clause 56.04-3 - Solar Orientation of Lots</b></p> <ul style="list-style-type: none"> <li>To provide good solar orientation of lots and solar access for future dwellings.</li> </ul>	<p><b>Standard C9</b></p> <p>Unless the site is constrained by topography or other site conditions, at least 70% of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>Lots between 300m<sup>2</sup> and 500m<sup>2</sup> are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.</li> <li>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The subdivision layout would provide reasonable solar access to the secluded private open space area and habitable room windows for the dwellings on each lot.</p>
<p><b>Clause 56.04-5 - Common Area</b></p> <ul style="list-style-type: none"> <li>To identify common areas and the purpose for which the area is commonly held.</li> <li>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</li> <li>To maintain direct public access throughout the neighbourhood street network.</li> </ul>	<p><b>Standard C11</b></p> <p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> <li>The common area to be owned by the body corporate, including any streets and open space.</li> <li>The reasons why the area should be commonly held.</li> <li>Lots participating in the body corporate.</li> <li>The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The driveway would form part of common property. This area would be functional and capable of efficient management.</p>
<p><b>Clause 56.06-8 - Lot Access</b></p> <ul style="list-style-type: none"> <li>To provide for safe vehicle access between roads and lots.</li> </ul>	<p><b>Standard C21</b></p> <ul style="list-style-type: none"> <li>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</li> <li>Vehicle access to lots of 300m<sup>2</sup> or less in area and lots with a frontage of 7.5m or less should be provided via rear or side access lanes, places or streets.</li> <li>The design and construction of a crossover should meet the requirements of the relevant road authority.</li> </ul>	<p>✓ <b>Standard met</b></p> <p>The site does not adjoin an arterial road. The accessway width would be adequate for vehicles from the residents and emergency vehicles.</p>
<p><b>Cl.56.09-2 – Electricity, Telecommunications and Gas</b></p> <ul style="list-style-type: none"> <li>To provide public utilities to each lot in a timely, efficient and cost effective manner.</li> </ul>	<p><b>C28</b></p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots.</p>	<p>! <b>Condition required</b></p> <p>It is considered that the supply of electricity, telecommunications and gas could be supplied to the lots to the satisfaction of the relevant authorities to ensure these objectives are met. Relevant permit</p>

**2.2.1 Town Planning Application - No. 23 Dunblane Road, Noble Park (Planning Application No. PLN21/0092) (Cont.)**

<ul style="list-style-type: none"> <li>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</li> </ul>	<p>Arrangements that support the generation or use of renewable energy are encouraged. The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advance telecommunications infrastructure. This must be provided to the boundary of all lots.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots.</p> <p><b>C29</b>                  Fire hydrants should be provided:</p> <ul style="list-style-type: none"> <li>A maximum distance of 120 metres from the rear of the each lot.</li> <li>No more than 200 metres apart. Hydrants and fire plugs must be compatible with the relevant fire service equipment.</li> </ul> <p>Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.</p>	<p>conditions would be placed on any permit to be granted.</p>
<p><b>Cl.56.09-3 – Fire hydrants</b></p> <ul style="list-style-type: none"> <li>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</li> </ul>	<p><b>! Condition required</b>                  The application was referred to the Country Fire Authority, who has no objection to the proposal subject to conditions. These could be conditioned.</p>	

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## 2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)

File Id:	115955
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

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### Application Summary

Applicant:	Gauri Pisolkar of R Architecture
Proposal:	Development of the land for four (4) double storey dwellings
Zone:	General Residential Zone - Schedule 3
Overlay:	No overlays apply to the site
Ward:	Springvale North

This application has been brought to a Council meeting as it has received two (2) objections.

The application proposes the development of the land for four (4) double storey dwellings.

A permit is required pursuant to:

- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

### Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Two (2) objections were received to the application. Issues raised generally relate to:

- Excessive on-street parking would obstruct emergency vehicles through this street.
- There is an on-going waste collection issue due to on-street parking.

### Assessment Summary

The site is located within an established residential area and is well suited for medium density housing given its zoning and location in an incremental change area. The proposal seeks to provide a medium housing density development which is generally consistent with the emerging pattern of development

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

and the surrounding neighbourhood character. It is noted that the development complies with most of the design principles of the applicable neighbourhood character policy as has been demonstrated in the attachments and outlined in this report or could do so via conditions.

The development is generally compliant with Clause 55, responding to site context and site circumstances, while respecting the existing and preferred neighbourhood character envisaged by Clause 22.09.

**Recommendation Summary**

As assessed, officers consider this proposal to be highly compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and Council Officers are of the view that on balance, the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued subject to the conditions as set out in the recommendation.

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**Subject Site and Surrounds**

**Subject Site**

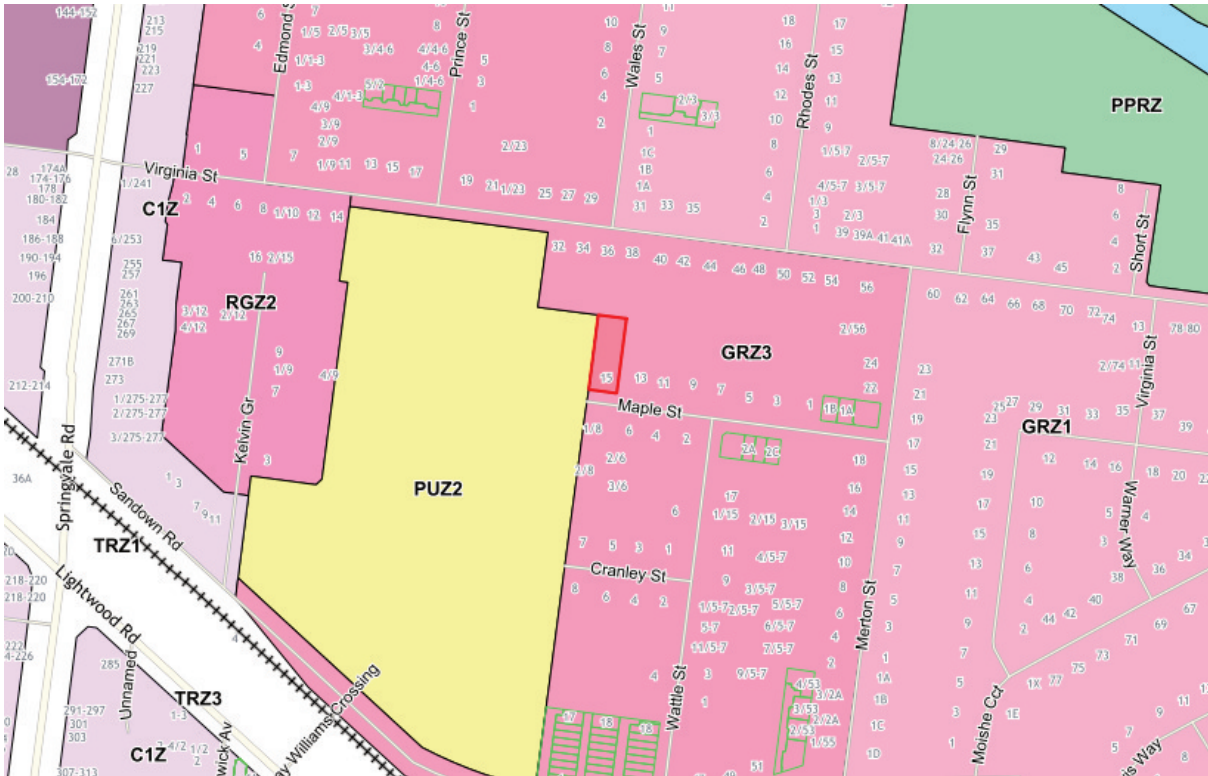
- The subject site is located to the north side of Maple Street.
- The site is rectangular in shape with a frontage of 17.37m, a depth of 45.72m and an overall site area of 794sqm.
- The land is currently occupied by a single storey weatherboard dwelling with an associated garage along the eastern boundary accessible from Maple Street.
- A 1.83m wide drainage and sewerage easement is located along the rear boundary.
- There are several trees located throughout the site.

**Surrounding Area**

- The subject site is located within an established residential area of Springvale.
- The built form in the area consists of a mix of older single storey detached dwellings, double-storey detached dwellings, single-storey multi-dwelling developments and double-storey multi-dwelling developments.
- The site adjoins two (2) properties to the north being 36 and 38 Virginia Street, each containing one (1) single storey dwelling. The adjoining land to the east contains one (1) single storey dwelling. The adjoining land to the west is within a Public Use Zone 2 (Springvale Park Special Developmental School). The land to the south, on the opposite side of Maple Street, contains two (2) dwellings comprising one (1) single storey dwelling at the front and a double storey dwelling to the rear.
- The Springvale Train Station is located 290m to the southwest and the Springvale Activity Centre core is located 430m to the southwest.

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

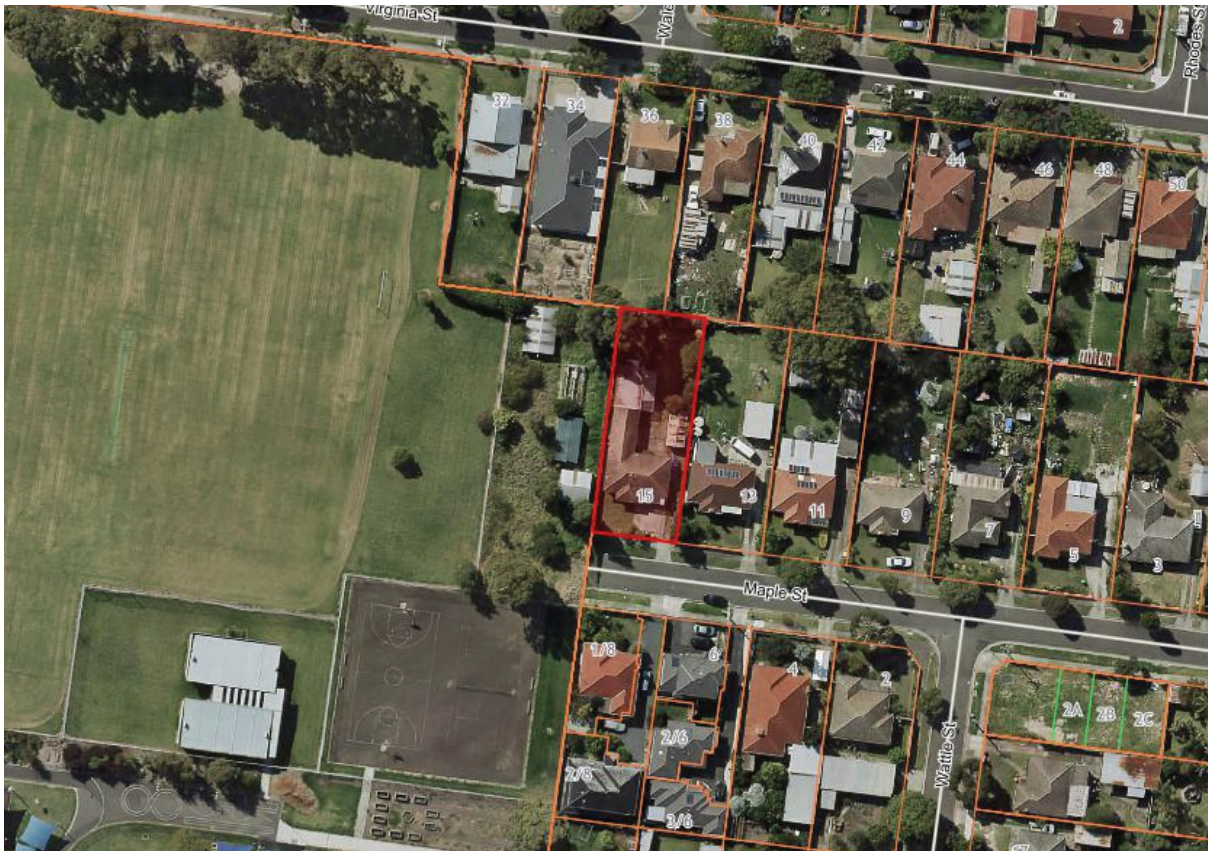
Locality Plan



p Subject Site Melway Map 80 A9 North é



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**



**Background**

**Previous Applications**

A search of Council records revealed that the following planning application was considered for the site:

- Planning Application PLN18/0435 was submitted on 31 July 2018 for the development of the land at No. 13 and 15 Maple Street, Springvale for ten (10) double storey dwellings. The application lapsed.

**Proposal**

The application proposes the development of the land for four (4) double storey dwellings.

The details of the proposal are as follows:

<b>Type of proposal</b>	<b>Multi dwellings</b>
Number of dwellings	Four (4)
Levels	All double storey

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

Height	The proposed development would have a maximum building height of 7.6 metres.																				
Orientated to	Unit 1 would be orientated to Maple Street. Units 2 to 4 would be orientated to the internal driveway.																				
External materials	Face brickwork on the ground floor.  Light weight rendered finished on the first floor.																				
Minimum setbacks <i>(encompasses all dwellings)</i>	North: 1.89m (Unit 4).  South (frontage): 5m (Unit 1).  East: 4.13m (Unit 1).  West: 0m (Garage 1).																				
Open space type	<p>Each dwelling would be provided with a minimum of 40sqm of private open space with one part comprising secluded private open space with a minimum area of 25sqm, a minimum dimension of 3m and convenient access to a living room.</p> <p>The areas of private open spaces for the dwellings are as follow (in square metres):</p> <table border="1"> <thead> <tr> <th></th> <th>Ground floor private open space (sqm)</th> <th>Ground floor secluded private open space (sqm)</th> <th>Total (sqm)</th> </tr> </thead> <tbody> <tr> <td>Unit 1</td> <td>64</td> <td>25</td> <td>89</td> </tr> <tr> <td>Unit 2</td> <td>N/A</td> <td>41</td> <td>41</td> </tr> <tr> <td>Unit 3</td> <td>N/A</td> <td>41</td> <td>41</td> </tr> <tr> <td>Unit 4</td> <td>N/A</td> <td>58</td> <td>58</td> </tr> </tbody> </table>		Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)	Unit 1	64	25	89	Unit 2	N/A	41	41	Unit 3	N/A	41	41	Unit 4	N/A	58	58
	Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)																		
Unit 1	64	25	89																		
Unit 2	N/A	41	41																		
Unit 3	N/A	41	41																		
Unit 4	N/A	58	58																		
Number of Car parking Spaces provided	<p>A total of seven (7) car parking spaces would be provided for the dwellings.</p> <p>The following table set out the number of car spaces required and provided for each dwelling:</p> <table border="1"> <thead> <tr> <th>Unit number</th> <th>Number of car spaces required</th> <th>Number of car spaces provided</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Unit number	Number of car spaces required	Number of car spaces provided																	
Unit number	Number of car spaces required	Number of car spaces provided																			

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	1	2 (3 bedrooms)	2 (double garage in tandem arrangement)
	2	2 (3 bedrooms)	2 (double garage)
	3	2 (3 bedrooms)	2 (double garage)
	4	1 (2 bedrooms)	1 (single garage)
Number of Car parking Spaces required	<p>One (1) car parking space is required for each one or two bedroom dwelling and two (2) car parking spaces are required for each three or more bedroom dwelling.</p> <p>A total of seven (7) car parking spaces are required.</p> <p>The proposal would provide one (1) car space for each two-bedroom dwelling and two (2) car spaces to each three-bedroom dwelling with at least one (1) under cover car space.</p> <p>No visitor car space is required or provided.</p> <p>The number of car spaces provided for the residents comply with Clause 52.06 (Car parking).</p>		
Type of car parking	Each dwelling would be provided with at least one (1) under-cover car parking space.		
Access	One (1) vehicle crossover would facilitate vehicular access to the dwellings comprising modification to the existing crossover on Maple Street.		
Front Fence	No front fence is proposed.		
Garden area required	The garden area requirement is not applicable to the General Residential Zone – Schedule 3.		

*A copy of the submitted plans is included as Attachment 1.*

**Victorian Charter of Human Rights and Responsibilities**

The Victorian Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to its contents.

**Financial Implications**

No financial resources are impacted by this report.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

### **Planning Scheme and Policy Frameworks**

Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required:

- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

#### **Zoning Controls**

The subject site is located in a General Residential Zone – Schedule 3, as is the surrounding land to the north, south and east. The adjoining land to the west is within a Public Use Zone 2 (Springvale Park Special Developmental School).

The purpose of the General Residential Zone outlined at Clause 32.08 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *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.*

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

It is noted that within Schedule 3 to the zone, varied requirements of Clause 55 are set out as follows:

- *Standard B6 (Minimum street setback) – As per B6 or 5 metres, whichever is the lesser;*
- *Standard B8 (Site coverage) – The site area covered by buildings should not exceed 70 per cent;*
- *Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;*
- *Standard B28 (Private open space) – An area of 40 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 25 square metres, and a minimum dimension of 3 metres and convenient access from a living room; or*

*A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or*

*A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room;*

- *Standard B32 (Front fence height) – A front fence within 3 metres of a road in a Transport Zone 2 should not exceed 1.5 metres in height, or 1.2 metres for all other streets.*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Overlay Controls**

No overlays affect the subject site or surrounding area.

**Planning Policy Framework**

The **Operation of the Planning Policy Framework** outlined at Clause 10 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of Planning in Victoria are noted as:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the State Planning Policy Framework that need to be considered under this application.

In order to achieve those objectives, there are a number of more specific objectives contained within the Planning Policy Framework that are relevant to this application.

**Clause 11 Settlement** states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, amongst others.

**Managing growth** is the focus of **Clause 11.02** which includes an objective that aims to ensure a sufficient supply of land is available for residential development, which is relevant to the current application.

**Clause 15 Built environment and heritage** seeks to ensure that planning achieves high quality urban design and architecture that meets a number of objectives. The following objectives are of relevance to the current application:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*



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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
- *To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.*

### **Housing**

is the focus of

#### **Clause 16**

and includes the following provisions:

- *To facilitate well-located, integrated and diverse housing that meets community needs.*
- *To deliver more affordable housing closer to jobs, transport and services.*

There are a number of objectives of relevance to the current application under **Clause 18 Transport** including the following:

- *To create a safe and sustainable transport system by integrating land-use and transport.*
- *To promote the use of sustainable personal transport.*
- *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

### **Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

- *There is considerable diversity within Greater Dandenong's housing stock. Most housing stock is aged between 30 to 50 years old, though there are some areas with dwellings in excess of 100 years old. Areas of newer housing are located in the north-east and central-southern areas, with in-fill development occurring across the municipality (Clause 21.02-3).*
- *Higher density housing is generally located in proximity to railway stations and major shopping centres, in particular in central Dandenong (Clause 21.02-3).*
- *Whilst there is a clear pre-dominance of single detached dwellings, there are a range of other types of dwellings including dual occupancies, villa-units, town houses and apartments. The highest concentration of older villa units and apartments and more recent multi-unit redevelopments have occurred around central Dandenong, Springvale and Noble Park activity centres (Clause 21.02-4).*
- *With diverse cultural groups that call Greater Dandenong home, there are certain distinct precincts that are emerging that have their own character. Their built form is characterised by buildings*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

*with flat unarticulated facades, prominent balconies, limited frontage/side setbacks, limited or no landscaping (Clause 21.02-4).*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. The vision is that Greater Dandenong will be a municipality where housing diversity and choice is promoted in its various attractive neighbourhoods.

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07). Of particular relevance to this application are Clauses 21.04 – Land Use and 21.05 – Built Form:

**Clause 21.04-1 Housing and community**

- *Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.*
- *Approximately 9,950 new households will need to be accommodated across the municipality by 2024 (Greater Dandenong Housing Strategy 2014-2024).*
- *Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.*
- *Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.*
- *Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.*
- *Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.*
- *Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.*
- *Respect the valued, existing neighbourhood character within incremental and minimal change areas.*
- *Requiring medium-density developments to be site and locality responsive and to respect existing and proposed neighbourhood character.*

**Clause 21.05-1 – Urban design, character, streetscapes and landscapes** – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
  - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
  - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

- *Encourage innovative architecture and building design.*
- *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*
- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
  - *Promote views of high quality landscapes and pleasing vistas from both the public and private realm.*
  - *Promote all aspects of character – physical, environmental, social and cultural.*
  - *Encourage planting and landscape themes, which complement and improve the environment.*
  - *Encourage developments to provide for canopy trees.*
  - *Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.*
- *To protect and improve streetscapes*
  - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
  - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
  - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
  - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*

**Clause 22.09 – Residential Development & Neighbourhood Character Policy** – contains the following objectives at Clause 22.09-2:

- *To guide the location and design of different types of residential development within Greater Dandenong, having regard to State and local planning policies, while respecting the valued characteristics and identified future character of residential neighbourhoods.*
- *To ensure that new residential development is consistent with the identified future character and preferred built form envisaged for the three Future Change Areas.*
- *To provide certainty about which areas are identified for, or protected from, increased residential development consistent with the purpose of the applicable zone.*
- *To facilitate high quality, well designed residential development and on-site landscaping.*



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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

- *To promote a range of housing types to accommodate the future needs of the municipality's changing population.*
- *To ensure that residential development uses innovative, responsive and functional siting and design solutions that:*
  - *Achieve high quality internal amenity and private open space outcomes for future residents;*
  - *Make a positive contribution to the streetscape through quality design, contextual responsiveness and visual interest;*
  - *Promote public realm safety by maximising passive surveillance.*
  - *Demonstrate responsiveness to the site, adjoining interfaces, streetscape and landscape context;*
  - *Respect the amenity of adjoining residents and the reasonable development potential of adjoining properties;*
  - *Achieve environmentally sustainable design outcomes;*
  - *Use quality, durable building materials that are integrated into the overall building form and façade; and*
  - *Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.*

Clause 22.09-3.1 (Design Principles) provides design principles, which apply to all Future Change Areas.

**Clause 22.09-3.3 (Incremental Change Areas)** provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines consider matters such as: housing type; building height; private open space; and bulk & built form.

*An assessment against Clause 22.09 is included as Attachment 3 to this report.*

**Particular Provisions**

Car Parking (Clause 52.06)

Clause 52.06 Car Parking needs to be considered to determine the appropriateness of the car parking provision of the development. The purpose of this Clause is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the 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.*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

- *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 is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. The site is within the Principle Public Transport Network area map. Land within the Principle Public Transport Network area map is exempt from providing visitor car space for development of five (5) or more dwellings.

A total of seven (7) car parking spaces are required.

The proposal would provide one (1) car space for each two-bedroom dwelling and two (2) car spaces to each three-bedroom dwelling with at least one (1) under cover car space.

No visitor car space is required or provided.

The number of car spaces provided for the residents comply with Clause 52.06 (Car parking).

Car parking is to be designed in accordance with the requirements of Clause 52.06-9 of the Scheme.

*An assessment against Clause 52.06 is included as Attachment 4 to this report.*

Two or more dwellings on a lot and residential buildings (Clause 55)

Pursuant to Clause 55 of the Greater Dandenong Planning Scheme, the provisions of this Clause apply to an application:

- *To construct two or more dwellings on a lot.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

A development:

- *Must meet all of the objectives of this clause; and*
- *Should meet all of the standards of this clause.*

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

*An assessment against Clause 55 is included as Attachment 5 to this report.*

**General Provisions**

Clause 65 – Decision Guidelines needs to be considered, as is the case with all applications. For this application the requirements of Clause 65.01 for the approval of an application or plan is of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.

**Restrictive Covenants**

No encumbrances registered on title.

**Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. In accordance with the commitment in Council's Annual Plan, all applications are considered on their merits.

**Diversity (Access & Equity)**

It is not considered that the proposal raises any diversity issues affecting the planning assessment of this application.

**Community Safety**

It is considered that there would be no adverse community safety implications in permitting the proposal.

**Safe Design Guidelines**

Consideration of the relevant requirements of these Guidelines has been undertaken within the Assessment of this application.

**Referrals**

**External**

The application was not required to be referred to any external referral authorities pursuant to Section 55 of the Planning and Environment Act 1987.

**Internal**

The application was internally referred to the following Council departments for their consideration. The comments provided have been considered in the assessment of the application.

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<b>Internal Referrals</b>	
Civil Development	No objections, subject to conditions on permit.
Transport Planning	No objections, subject to conditions on permit.
Sustainability Planning	No objections, subject to conditions on permit.
Arborist	No objections, subject to conditions on permit.
Waste Management Services	No objections.

**Advertising**

The application has been advertised twice pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the land owners and occupiers of adjoining and surrounding land.
- Placing one (1) sign on site facing Maple Street.

The notification has been carried out correctly.

A total of two (2) objections have been received to date.

*The locations of the objectors are shown in Attachment 2.*

**Consultation**

A consultative meeting was not held as less than four (4) objections were received.

**Summary of Grounds of Submissions/Objections**

The objections are summarised below (**bold**), followed by the Town Planner's Response (in *italics*).

- **Excessive on-street parking would obstruct emergency vehicles through this street;**

*The proposed development would provide adequate car spaces on the site in accordance Clause 52.06 (Car parking) of the Greater Dandenong Planning Scheme. The proposed development does not rely on on-street parking. The proposed development does not rely on on-street parking.*

*In addition, Council's Transport Planning team have reviewed the proposed development and have not raised any issue with emergency access to this street.*

- **There is an on-going waste collection issue due to on-street parking**

*This proposal does not rely on on-street parking. The on-going waste collection issue due to on-street parking does not relate to the proposed development.*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

*In addition, the application was referred to Council's Waste Management Services team who advised that there is adequate space at the front of the site for kerb side waste collection by Council.*

**Assessment**

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing four (4) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

**Use**

As outlined in Clause 32.08-2 (General Residential Zone), a dwelling is listed as a Section 1 use, and a planning permit is not required for the use of the proposal. However, a planning permit is required for the development of the land for four (4) dwellings, which is discussed below.

**Development**

**Planning Policy Framework / Local Planning Policy Framework**

In considering the Planning Policy Framework and the Local Planning Policy Framework, Council can establish that an acceptable proposal will be guided by:

*Clause 22.09 Residential Development and Neighbourhood Character;*

*Clause 52.06 Car parking; and*

*Clause 55 Two or more dwellings on a lot.*

Each of these Clauses ensure that Council facilitates the orderly development of urban areas, which is a specific objective of Clause 11.02 Settlement.

The objectives of Clause 15.01-1S Urban Design, Clause 15.01-2S Building Design and Clause 21.05-1 Built Form outline the key considerations in which a development must respond to urban design, character, streetscapes and landscape issues.

It is considered that the proposed design response respects the preferred neighbourhood character of the incremental change area by providing a medium density housing typology.

The proposal is of a high quality urban design, with physical recession, articulation, varied use of materials, textures and other visual interest.

The overall layout allows space for compliant private and secluded private open space and acceptable landscaping treatments such as a significant canopy trees and shrubbery plantings within well-proportioned setback areas to allow growth to maturity.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

The proposal is also located within an area subject to incremental change with other multi-unit developments of a similar scale and massing being found within the surrounding residential area such as on the land at 14 Wales Street (200m to the north) which contains four (4) double storey dwellings and at 7-9 Prince Street (165m to the northwest) which contain ten (10) double storey dwellings. The proposal's compliance with Clause 22.09, Clause 52.06 and Clause 55 ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

As such, Council officers recommend that the application be approved subject to planning permit conditions as necessary.

**Clause 22.09 Assessment - Residential Development and Neighbourhood Character Policy**

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09, except in the following instances:

Design Principles for all residential developments

**Landscaping**

Relevant Design Principles:

- *Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.*
- *Provide substantial, high quality landscaping along vehicular accessways.*
- *Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.*
- *Planting trees that are common to and perform well in the area.*
- *Avoid the removal of existing mature trees by incorporating their retention into the site design.*
- *Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.*
- *Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties.*

A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.

It is noted that the proposal would be capable of accommodating substantial high quality landscaping, including screen planting and native canopy trees within the frontage and the rear secluded private open space area of each dwelling.

There are several trees on the site which would be removed for the development. The removal of the trees does not require a planning permit under Clause 52.17 (Native Vegetation) as the land is under 4000 square metres. Council's Arboricultural team have reviewed the proposal and have no objection to the removal of the trees on the site.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

There are two (2) large trees on the adjoining land to the west located near the boundary of the site. Council's Arboricultural team have advised that a Tree Management Plan should be provided to ensure that the trees are protected from the proposed development. This could be conditioned.

**Materials & Finishes**

Relevant Design Principles:

- *Use a consistent simple palette of materials, colours finishes and architectural detailing.*

On the west elevation, a light grey colour is provided to approx. 80% of the first floor whilst approx. 80% of the ground floor is provided with a dark grey colour. It is recommended that each dwelling should be provided with a different colour or shading from the adjoining dwelling to provide each dwelling with a sense of identify from the adjoining dwelling. This could be conditioned.

On the east elevation, a dark grey colour is provided to the entire ground floor walls. The first floor colour shading is varied for Units 1 to 3 but the same colour shading is used for Units 3 and 4. It is recommended that the same condition applying to the west elevation should apply to the east elevation requiring each dwelling to be provided with a different colour or shading to the adjoining dwelling. This could be conditioned.

Design Principle for Incremental Change Area

**Bulk & Built Form**

Relevant Design Principles:

- *Separation between upper levels of dwellings on a site in the GRZ3 is not generally needed, provided the building portrays a high standard of design and does not result in unreasonable amenity impacts.*
- *Within the GRZ1 and GRZ2 the rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*

As mentioned in the above assessment under Materials & Finishes, the elevations could be further improved by requiring each dwelling to have a different colour or shading from the adjoining dwelling. This could be conditioned.

The proposed built form demonstrates a high standard of design, and as the site is within a GRZ3, separation at first floor is not required. Furthermore, as the site is within a GRZ3, the rearmost dwelling is not required to be single storey. The rearmost dwelling is only required to be single storey within the GRZ1 and GRZ2. In any case, the upper floor of dwelling 4 has significant setbacks to the two sensitive interfaces to the north and east, and as such would not have any unacceptable adverse impacts on the amenity of the surrounding properties.



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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 52.06 Assessment - Car Parking**

The table at Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) sets out the car parking requirement that applies to the use of land for dwellings as follows:

- One (1) car parking space to each one (1) or two (2) bedroom dwelling; and
- Two (2) car parking spaces to each three (3) or more bedroom dwelling.

The site is within the Principle Public Transport Network area map. Land within the Principle Public Transport Network area map is exempt from providing visitor car space for development of five (5) or more dwellings.

A total of seven (7) car parking spaces are required.

The proposal would provide one (1) car space for each two-bedroom dwelling and two (2) car spaces to each three-bedroom dwelling with at least one (1) under cover car space.

No visitor car space is required or provided.

The number of car spaces provided for the residents comply with Clause 52.06 (Car parking).

The proposal complies with the Design Standard of Clause 52.06-9, and a full Clause 52.06 assessment is attached to this report at Attachment 4.

**Clause 55 Assessment - Two or more Dwellings on a lot and Residential Buildings**

A Clause 55 Assessment is attached to this report at Attachment 5. Standards that warrant further consideration are discussed as follows:

**Clause 55.03-5 Energy efficiency objectives – Standard B10**

This standard requires developments to be designed so that solar access to north-facing windows is maximised.

Due to the orientation of the site, there is limited opportunity for north facing windows. The ground floor of Unit 4 would have a window to the kitchen and living room. On the first floor, there would be no north facing window provided. It is considered that there is an opportunity for a north facing window with sill height of 1.7m to the hallway / stairway of Unit 4. This could be required as a condition of any permit to be granted.

**Clause 55.03-8 Landscaping objectives – Standard B13**

This standard requires a landscape layout and design that specifies themes and vegetation. While the proposal provides adequate space for landscaping treatments across the site, a landscape plan has not been submitted as part of the application and it is recommended to be requested as a condition of permit. The objective would be met, subject to a condition of permit.



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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.03-10 Parking location objective – Standard B15**

This standard requires that shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. In this instance, all windows within 1.5 metre of the accessway have window sills at least 1.4 metre high, and therefore the setback requirement is 1 metre.

The east facing kitchen window of Units 1 and 4 would be located less than 1m from the common accessway. The windows to the foyer areas of Units 2 and 3 which connects to the living rooms are also less than 1m from the common accessway. It is recommended that noise attenuated glass should be provided to these windows to limit vehicle noise from the common driveway to the windows

It is considered that the objective is met as the noise attenuated glass would limit noise from the driveway to the habitable room windows. In addition, the habitable room windows are to living rooms and not bedrooms. Thus, future residents would not be within the living rooms late into the night. The minor variation of 0.38m to the windows of Units 1 and 4 and a variation 0.5m to the windows of Units 3 and 4 are considered acceptable in this instance.

**Clause 55.04-6 Overlooking objective – Standard B22**

This standard requires screening to be provided to a ground floor habitable room window, balcony, terrace, deck or patio, unless there is a visual barrier at least 1.8 metres high.

The side boundary fencing and proposed internal fencing are only 1.7m high. They should be extended to 1.8m high to prevent overlooking from ground floor habitable room windows. These could be conditioned.

**Clause 55.05-4 Private open space objective – Standard B28**

This standard and Schedule 3 to the General Residential Zone requires an area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room. The secluded private open space of Unit 1 would protrude into the front setback area by 1m. The minor protrusion is considered acceptable having considered that the vast majority of the secluded private open space is to the side of the dwelling, the site is at the end of a court located adjacent to a Public Use Zone 2 and that a canopy tree would be provided to the front of the secluded private open space to screen it from the street.

**Clause 55.05-5 Solar access to open space objective – Standard B29**

This standard requires the southern boundary of secluded private open space to be set back from any wall on the north of the space at least  $(2 + 0.9h)$  metres, where 'h' is the height of the wall.

The secluded private open space of Unit 1 would be setback 6.55m from the first floor wall to the north, being Bedroom 3 of Unit 1. The required setback based on the formula is 7.85m, thus, a variation of 1.3m is required. The minor variation is considered acceptable considering that Unit 1

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

has a large front yard of 64sqm and that the first floor wall to the north of the secluded private open space area being Bedroom 3 of Unit 1, would be located only partially to the north of the secluded private open space of Unit 1.

**Clause 22.06 - Environmentally Sustainable Development**

The proposal complies with the requirements of Clause 22.06 by providing a Sustainable Design Assessment (SDA), a Built Environment Sustainability Scorecard (BESS) and a Stormwater Calculation, all completed by qualified professionals.

The provided BESS score complies with a score of 50% for best practice encompassing the full life of the build and identifying the methods used for the best environmental performance outcome. Having regard to the sites opportunities and restraints, the proposal has included the necessary water tanks, and roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

The referral response from Council’s ESD team identified that the submitted plans should be amended to include the following:

- Stipulation of provision of double glazing to all habitable room windows.
- Amend rainwater tank capacity to 3,000L per dwelling as per SDA, BESS and STORM.
- Any other changes associated with the revised Sustainable Design Assessment.

<b>BESS Information Summary</b>		<b>Project Overall Score: 53%</b>		
		<b>Fail</b>	<b>Best Practice</b>	<b>Design Excellence</b>
<b>Dwelling Type: Non-residential</b>		<b>(&lt;49%)</b>	<b>(50-69%)</b>	<b>(&gt;70%)</b>
<b>BESS Category</b>	<b>Score</b>	<b>Initiatives</b>		
<b>Management</b>	0%			
		Preliminary energy rating assessment (NatHERS) to be undertaken		
<b>Water</b>	66%			
		<ul style="list-style-type: none"> <li>• Rainwater tank capacity of 3,000L per dwelling connected to:</li> </ul>		
		Toilet flushing and laundry		
		<ul style="list-style-type: none"> <li>• High WELS star rated water fittings, fixtures and appliances</li> </ul>		

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

		<ul style="list-style-type: none"> <li>Potable water consumption reduced by 47% compared to same building following minimum standards.</li> </ul>
<b>Energy</b>	50%	
		<ul style="list-style-type: none"> <li>Energy efficiency NatHERS rating to be undertaken</li> </ul>
		<ul style="list-style-type: none"> <li>High efficiency 5-star gas instantaneous hot water system specified</li> </ul>
		<ul style="list-style-type: none"> <li>Estimated greenhouse gas emissions reduced by 63% compared to compared to same building following minimum standards</li> </ul>
<b>Stormwater</b>	100%	Pending validation
		<ul style="list-style-type: none"> <li>Best practice water quality objectives achieved through on site stormwater management including rainwater collection and reuse and permeable pavement.</li> </ul>
<b>Indoor Environment Quality</b>	60%	
		<ul style="list-style-type: none"> <li>Northern orientation</li> </ul>
		<ul style="list-style-type: none"> <li>Double glazing to all habitable room windows</li> </ul>
<b>Transport</b>	50%	
		<ul style="list-style-type: none"> <li>Space for bicycle parking in each garage</li> </ul>
<b>Waste</b>	50%	
		<ul style="list-style-type: none"> <li>Space for food and garden waste bin provided</li> </ul>
<b>Urban Ecology</b>	50%	
		<ul style="list-style-type: none"> <li>30% of the site is vegetated</li> </ul>

**Conclusion**

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Recommendation**

**That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 15 Maple Street, Springvale VIC 3174 (Lot 20 LP 21287 Vol 8112 Fol 127), for ‘the development of the land for four (4) double-storey dwellings’ in accordance with the plans submitted with the application, and subject to the following conditions:**

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
  - 1.1. On the east and west elevations, each dwelling provided with a different colour or shading from the adjoining dwelling.**
  - 1.2. A north facing upper floor window with sill height of 1.7m above finished first floor level to the hallway / stairway of Unit 4.**
  - 1.3. Noise attenuation glass to the ground floor east facing windows of Units 1 and 4’s kitchen and Units 2 and 3’s foyer areas.**
  - 1.4. The side boundary fencing and proposed internal boundary fencing to be at least 1.8m high.**
  - 1.5. Stipulation of provision of double glazing to all habitable room windows.**
  - 1.6. Amend rainwater tank capacity to 3,000L per dwelling as per SDA, BESS and STORM.**
  - 1.7. Any other changes associated with the revised Sustainable Design Assessment with Condition 6.**
  - 1.8. Tree protection measures in accordance with Condition 2.**
  - 1.9. A landscape plan in accordance with Condition 3.**

**When approved, these plans will be endorsed and will form part of this permit.**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

- 2. Before the approved development starts, and before any trees or vegetation are removed, a Construction Impact Assessment and Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must be completed by a suitably qualified Arborist (AQF Level 4 or above) and contain:**
  - 2.1. Number of trees to be retained and removed with the encroachment percentage for any works within the Tree Protection Zone of any tree. All trees on neighboring properties must be retained unless otherwise negotiated with the tree owners. Council trees will not be removed.**
  - 2.2. An existing condition plan and a proposed development plan, to scale, showing the location of the trees to be retained and removed. The plans must show the SRZ and TPZ of all trees assessed. The plan must also indicate the areas of encroachment from the proposal from any building or driveway, or any areas of significant level changes (cut & fill).**
  - 2.3. A detailed section describing the impacts of the development on the assessed trees. The assessment must detail how the impact may be minimised for any trees of high or moderate retention value, or trees on adjoining land (street trees and neighbouring property trees).**
  - 2.4. Suitable tree management and protection recommendations for all trees to be retained. These must be specific for each tree identified for retention and/or protection.**

**Note: If major encroachment (greater than 10%) occurs to any tree to be retained or protected and its ability to remain in the landscape cannot be adequately justified (in accordance with Clause 3.3.4 of the Australian Standard AS4970), Council may request a Non-Destructive Root Investigation (NDRI) to be undertaken. Such investigations may only be carried out using Air Spade, Hydro excavation or by manual hand excavation. All investigations must be undertaken or supervised by a suitably qualified Arborist.**
  - 2.5. All information must be consistent with the Australian Standard-AS-4970-2009, Protection of Trees on Development Sites.**
- 3. Before the approved development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**the satisfaction of the Responsible Authority, drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**

- 3.1. plans to accord with Condition 1 of this permit;**
- 3.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
- 3.3. nature strip trees, easements and landscape setbacks;**
- 3.4. details of the proposed layout, type and height of fencing;**
- 3.5. all screening structures and refuse collection locations;**
- 3.6. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
- 3.7. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
- 3.8. any paving or deck areas within the secluded open space area of the proposed dwellings on a permeable base;**
- 3.9. at least one (1) advanced native canopy tree with a minimum planting height of 1.5 metres within the secluded open space areas of each dwelling;**
- 3.10. landscaping to the front of dwelling 1, including at least two (2) advanced native canopy trees with a planting height of 1.5 metres; shrubbery plantings, with a maximum mature height of 1 metre, to the west of dwelling 4 and along the southern edge of the proposed driveway;**
- 3.11. the protection of the trees on the abutting properties, along with tree protection zone requirements as required by Condition 2;**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**When approved, the amended landscape plan will be endorsed and will form part of this permit.**

**The provisions, recommendations and requirements of the landscape plan must be implemented, maintained and complied with to the satisfaction of the Responsible Authority.**

**Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.**

**At all times, the landscaping must be maintained in good order in accordance with the endorsed landscape plan and schedule to the satisfaction of the Responsible Authority.**

**4. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**

**5. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works and the conditions of this permit have been complied with.**

**6. Prior to the endorsement of plans under Condition 1, a revised Sustainable Design Assessment to the satisfaction of the responsible authority. The revised SDA must be in accordance with the design initiatives and commitments including in the SDA (prepared by Green Rate, dated 7 December 2021) but modified to include:**

**6.1. Submission of a preliminary energy (NatHERS) rating for each unit that achieves an energy rating beyond 6-stars.**

**6.2. Revised BESS management and energy section that includes the completed energy rating inputs.**

**6.3. The STORM calculator lists an incorrect address and must be revised.**

**The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SDA and supporting documentation must not be altered without the prior written consent of the Responsible Authority.**

**7. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

- 8. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**
- 9. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.**
- 10. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**
- 11. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.**
- 11. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**
- 12. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 13. Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**
- 14. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.**  
**All glazing must at all times be maintained to the satisfaction of the Responsible Authority.**
- 15. Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**



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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

- 16. Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with the Greater Dandenong Planning Scheme Clause 52.06-9.**
- 17. This permit will expire if:**
- 17.1. The development or any stage of it does not start within two (2) years of the date of this permit, or**
- 17.2. The development or any stage of it is not completed within four (4) years of the date of this permit.**

**Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.**

**The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:**

- (a) the request for the extension is made within twelve (12) months after the permit expires; and**
- (b) the development or stage started lawfully before the permit expired.**

**Permit Notes**

**Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**

**Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

**Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.**

**A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**Approval of any retention system within the property boundary is required by the relevant building surveyor.**

**Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**

**As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**

**No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.**

**This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.**

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 15 MAPLE STREET, SPRINGVALE  
(PLANNING APPLICATION NO. PLN21/0177)**

**ATTACHMENT 1**

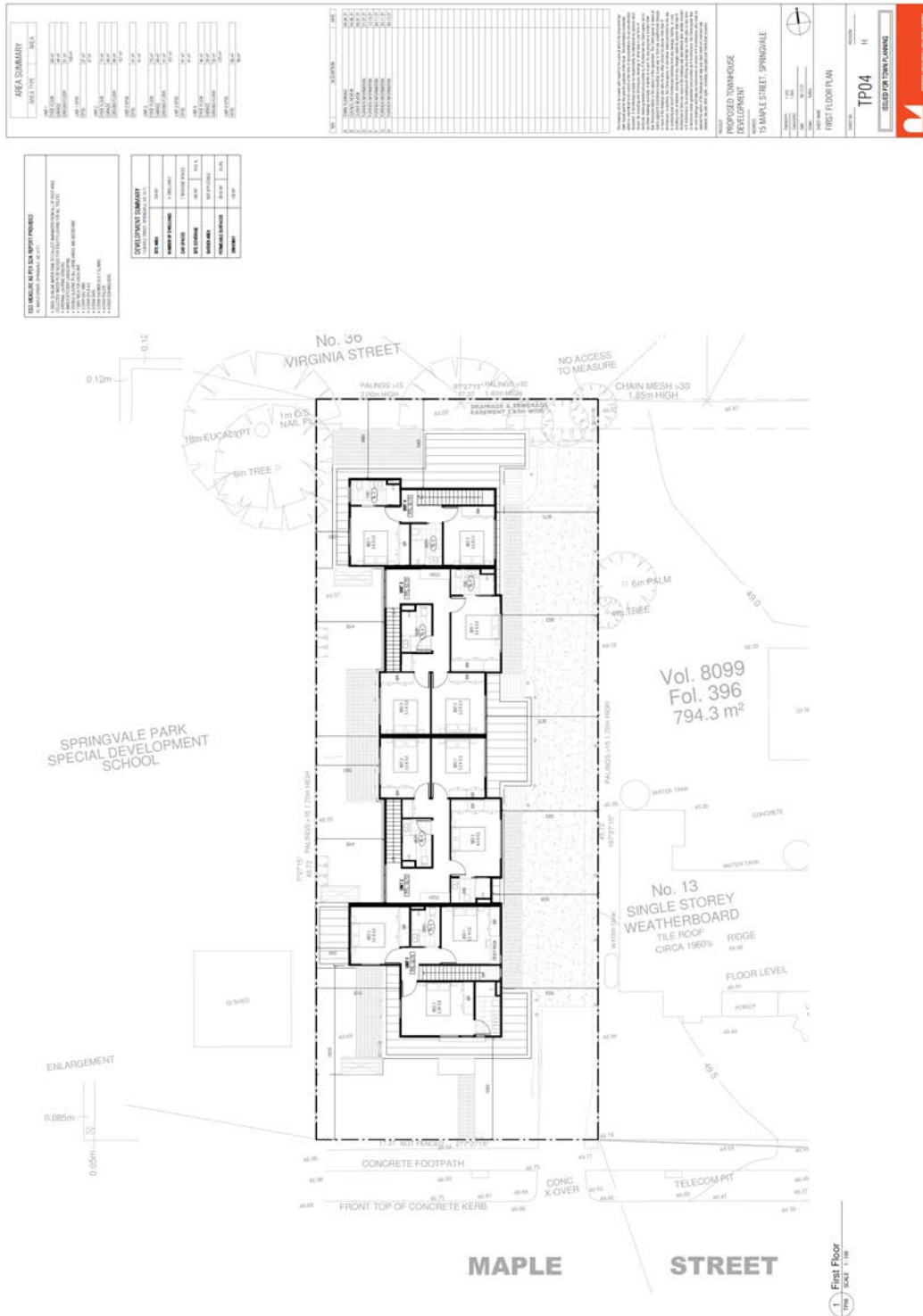
**SUBMITTED PLANS**

**PAGES 6 (including cover)**

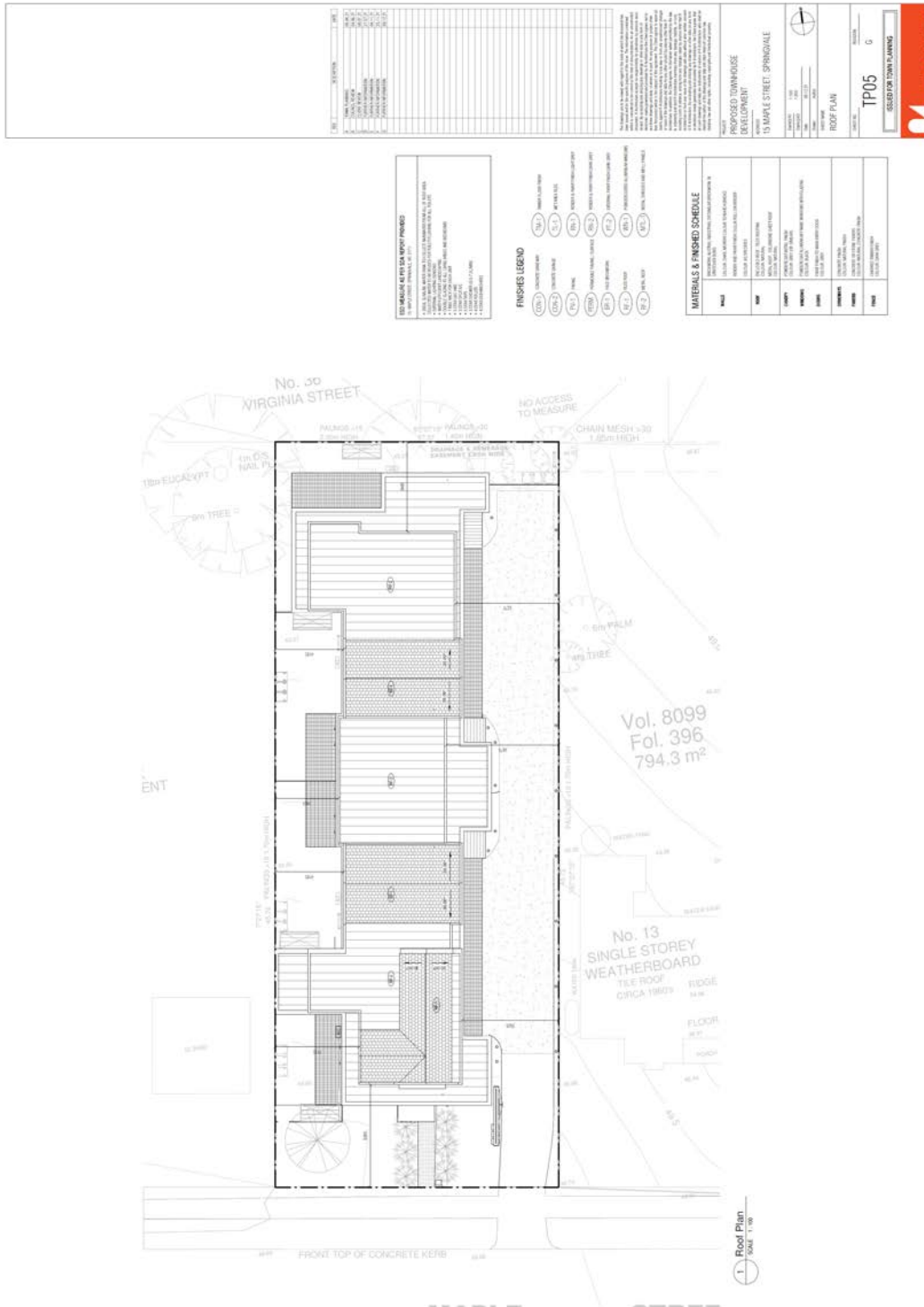
*If the details of the attachment are unclear please contact Governance on 8571 5235.*



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**



**FINISHES LEGEND**

(C1)	CONCRETE
(C2)	CONCRETE
(C3)	CONCRETE
(C4)	CONCRETE
(C5)	CONCRETE
(C6)	CONCRETE
(C7)	CONCRETE
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**MATERIALS & FINISHES SCHEDULE**

NO.	DESCRIPTION
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100	CONCRETE

**PROPOSED TOWNHOUSE DEVELOPMENT**  
 15 MAPLE STREET SPRINGVALE

**ROOF PLAN**

TP05 0

ISSUED FOR TOWN PLANNING

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

The architectural drawings include four elevations of a residential building, each at a scale of 1:100. The elevations are labeled as follows:

- 1 SOUTH ELEVATION**: Shows the building's profile from the south, including a gabled roof section and a porch area.
- 2 NORTH ELEVATION**: Shows the building's profile from the north, featuring a prominent dark-colored section.
- 3 EAST ELEVATION**: Shows the building's profile from the east, with a long facade and multiple windows.
- 4 WEST ELEVATION**: Shows the building's profile from the west, including a gabled roof and a porch.

Accompanying the elevations are several technical and material specifications:

- FINISHES LEGEND**: A circular legend defining material codes such as (C1) Concrete, (S1) Stone, (G1) Glass, (M1) Metal, (W1) Wood, (P1) Paint, (T1) Tiles, (L1) Limestone, (B1) Brick, (D1) Dark Grey, (L2) Light Grey, (L3) Light Blue, (L4) Light Green, (L5) Light Yellow, (L6) Light Purple, (L7) Light Orange, (L8) Light Pink, (L9) Light Brown, (L10) Light Tan, (L11) Light Grey, (L12) Light Blue, (L13) Light Green, (L14) Light Yellow, (L15) Light Purple, (L16) Light Orange, (L17) Light Pink, (L18) Light Brown, (L19) Light Tan, (L20) Light Grey.
- MATERIALS & FINISHED SCHEDULE**: A table detailing the materials and finishes used in the design, including items like 'CONCRETE', 'STONE', 'GLASS', 'METAL', 'WOOD', 'PAINT', 'TILES', 'LIMESTONE', 'BRICK', 'DARK GREY', 'LIGHT GREY', 'LIGHT BLUE', 'LIGHT GREEN', 'LIGHT YELLOW', 'LIGHT PURPLE', 'LIGHT ORANGE', 'LIGHT PINK', 'LIGHT BROWN', 'LIGHT TAN', 'LIGHT GREY', 'LIGHT BLUE', 'LIGHT GREEN', 'LIGHT YELLOW', 'LIGHT PURPLE', 'LIGHT ORANGE', 'LIGHT PINK', 'LIGHT BROWN', 'LIGHT TAN'.
- FINISHED DEVELOPMENT**: A table providing details for the finished development, including 'PROJECT NAME', 'ADDRESS', 'SUBJECT', 'DATE', 'SCALE', 'DRAWN BY', 'CHECKED BY', 'APPROVED BY', 'DATE'.
- DESIGNER INFORMATION**: A table providing details for the designer, including 'DESIGNER NAME', 'ADDRESS', 'PHONE', 'EMAIL', 'WEBSITE', 'DATE'.





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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 15 MAPLE STREET, SPRINGVALE  
(PLANNING APPLICATION NO. PLN21/0177)**

**ATTACHMENT 2**

**LOCATION OF OBJECTORS**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**



● LOCATION OF OBJECTORS   MELWAY MAP REF: 80 - A9    SUBJECT SITE   ↑ NORTH

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 15 MAPLE STREET, SPRINGVALE  
(PLANNING APPLICATION NO. PLN21/0177)**

**ATTACHMENT 3**

**CLAUSE 22.09 ASSESSMENT**

**PAGES 11 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Assessment Table for Clause 22**

**Clause 22.09-3.1 Design Principles for all residential developments**

Title /Objective	Principles	Principle met/Principle not met/NA
Safety	<p>To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:</p> <p>Incorporate active frontages including ground floor habitable room windows.</p> <p>Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.</p> <p>Use semi-transparent fences to the street frontage.</p> <p>Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.</p> <p>Ensure that all main entrances are visible and easily identifiable from the street.</p> <p>Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.</p>	<p><b>Principle met/Principle not met/NA</b></p> <p>✓ <b>Principle met</b></p> <p>The proposal would have active frontages with ground floor habitable room windows oriented towards the street and common accessway.</p> <p>✓ <b>Principle met</b></p> <p>Passive surveillance of street and public realm is provided through windows fronting the street at both ground and upper floor levels. Habitable room windows are oriented towards the internal accessway and car parking areas.</p> <p>✓ <b>Principle met</b></p> <p>No front fence is proposed.</p> <p>✓ <b>Principle met</b></p> <p>High mounted sensor lights have been annotated adjacent or above each garage. bollard lights along the common accessway to provide security at night.</p> <p>✓ <b>Principle met</b></p> <p>The entrances for the dwellings would be easily identifiable from the street or common accessway.</p> <p>✓ <b>Principle met</b></p> <p>Non habitable rooms would be away from the from the entrances and are considered appropriate.</p>
Landscaping	Residential development should:	

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.</p>	<p><b>! Condition required</b>                  A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.                  It is noted that the proposal would be capable of accommodating substantial high quality landscaping, including screen planting and canopy trees within the frontages of each street and the rear, secluded private open space area of each dwelling.</p>
	<p>Provide substantial, high quality landscaping along vehicular accessways.</p>	<p><b>! Condition required</b>                  The ground floor plan has shown concept planting along the common accessway.                  A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.</p>
	<p>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</p>	<p><b>! Condition required</b>                  A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.                  It is noted that the proposal would be capable of accommodating two canopy trees within the frontage and one per rear secluded private open space area. To ensure this outcome, it is recommended to be include as a condition of permit (should a permit be granted).</p>
	<p>Planting trees that are common to and perform well in the area.</p>	<p><b>! Condition required</b>                  A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p>	<p><b>! Condition required</b>                  There are several trees on the site which would be removed for the development. Council's arborist has reviewed the proposal and have no objection to the removal of the trees on the site.                  There are two (2) large trees on the adjoining land to the west located near the boundary of the site. Council's arborist advised that a Tree Management Plan should be provided to ensure that the trees are protected from the proposed development. This could be conditioned.</p> <p><b>✓ Principle met</b>                  The frontages would be capable of accommodating two canopy trees and more than 70% of the street frontage could accommodate landscaping which would be capable of softening the built form when viewed from the street.</p> <p><b>✓ Principle met</b>                  Concept landscaping shown on the floor plan shows that the planting would not obscure the entrances.</p> <p><b>✓ Principle met</b>                  The proposal would provide well-proportioned setbacks and private open space areas that would allow for canopy trees to be planted and grow to full maturity.</p> <p><b>✓ Principle met</b>                  Landscaping is proposed that will have a water sensitive design.</p> <p><b>! Condition required</b>                  A landscape plan has not been provided. Should a permit be granted, a condition is recommended for the permit that landscaping include indigenous species.</p>
<p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>	<p><b>✓ Principle met</b>                  The frontages would be capable of accommodating two canopy trees and more than 70% of the street frontage could accommodate landscaping which would be capable of softening the built form when viewed from the street.</p>	
<p>Ensure that landscaping also addresses the Safety Design Principles.</p>	<p><b>✓ Principle met</b>                  Concept landscaping shown on the floor plan shows that the planting would not obscure the entrances.</p>	
<p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p>	<p><b>✓ Principle met</b>                  The proposal would provide well-proportioned setbacks and private open space areas that would allow for canopy trees to be planted and grow to full maturity.</p>	
<p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p>	<p><b>✓ Principle met</b>                  Landscaping is proposed that will have a water sensitive design.</p>	
<p>Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.</p>	<p><b>! Condition required</b>                  A landscape plan has not been provided. Should a permit be granted, a condition is recommended for the permit that landscaping include indigenous species.</p>	

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

Car parking	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> <li>Well integrated into the design of the building,</li> <li>Generally hidden from view or appropriately screened where necessary,</li> <li>Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level.</li> </ul> <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> <li>Fully located within the site boundary; and</li> <li>Capable of fully accommodating a vehicle between a garage or carport and the site boundary.</li> </ul> <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>✓ <b>Principle met</b> The existing crossover would be retained and modified to service the entire development. No new crossover is proposed.</p> <p>✓ <b>Principle met</b> All car spaces would be located behind Unit 1. The garages are well integrated with the development and hidden from the street.</p> <p>✓ <b>Principle met</b> No parking is located within the frontage.</p> <p><b>Not Applicable</b> Basement parking not proposed</p>
Setbacks, front boundary and width	<p>Residential developments should:</p> <p>Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p> <p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p> <p>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</p>	<p>✓ <b>Principle met</b> The proposed setbacks are in keeping with the adjoining dwellings and streetscape pattern. No front fence is proposed.</p> <p>✓ <b>Principle met</b> The existing frontage width pattern would not be significantly altered.</p> <p>✓ <b>Principle met</b> Side setbacks would allow for tree planting.</p> <p>✓ <b>Principle met</b> No front fence is proposed.</p> <p>✓ <b>Principle met</b> Each dwelling complies with the minimum secluded private open space areas under the Schedule to the Zone and is directly accessible from the main living area.</p>
Private open space	<p>All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.</p>	<p>✓ <b>Principle met</b> Each dwelling complies with the minimum secluded private open space areas under the Schedule to the Zone and is directly accessible from the main living area.</p>

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>Private open space should be positioned to maximise solar access.</p> <p>Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.</p> <p>Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.</p>	<p>✓ <b>Principle met</b>                  Indicative landscaping suggests that the private open spaces are usable spaces for domestic services and outdoor furniture and is capable of accommodating boundary landscaping.</p> <p>✓ <b>Principle met</b>                  The primary secluded private open spaces of the dwellings would be orientated to the north for Unit 4 and to the west for Units 1 to 3. This is considered appropriate considering the orientation of the site.</p> <p>✓ <b>Principle met</b>                  The upper floors do not encroach on the ground floor private open space</p> <p><b>Not Applicable</b>                  Apartments not proposed</p>
<p>Bulk &amp; Built Form</p>	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> <li>Using similarly proportioned roof forms, windows, doors and verandahs; and</li> <li>Maintaining the proportion of wall space to windows and door openings.</li> </ul> <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p> <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> <li>The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or</li> <li>The retention of the existing dwelling detracts from the identified future character.</li> </ul>	<p>✓ <b>Principle met</b>                  The proposed dwellings are designed to be in keeping with the streetscape and neighbourhood character. The proposal has incorporated a mixed of flat and pitched roof which is considered appropriate for the GRZ3 and the proximity of the site to the Springvale Activity Centre. Windows, doors and roof proportions and heights are respectful of the dominant façade pattern within the broader area.</p> <p>✓ <b>Principle met</b>                  Balconies are not proposed</p> <p>✓ <b>Principle met</b>                  The existing dwelling would be demolished for the proposed development.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> <li>• Not exceeding the height of the neighbouring significant building;</li> <li>• Minimising the visibility of higher sections of the new building; and</li> <li>• Setting higher sections back at least the depth of one room from the frontage.</li> </ul>	<p>✓ <b>Principle met</b>                  The site is not adjacent to a heritage building</p>
<p>Site Design</p>	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance.</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p>	<p>✓ <b>Principle met</b>                  No issues identified in regard to the overlooking and overshadowing in the Clause 55 assessment.</p> <p>✓ <b>Principle met</b>                  Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling.</p> <p>✓ <b>Principle met</b>                  The development would orientate the majority of habitable room windows toward the street where possible to limit the need for screening.</p> <p>✓ <b>Principle met</b>                  Sufficient setbacks are provided to the front, side and rear to allow for canopy and screen planting.</p> <p>✓ <b>Principle met</b>                  Storage areas have been provided for each dwelling.</p> <p>✓ <b>Principle met</b>                  The site is located conveniently close to the Springvale Train Station which is 290m to the southwest.</p>
<p>Materials &amp;</p>	<p>Residential development should:</p>	

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

Finishes	Use quality, durable building materials and finishes that are designed for residential purposes.	<p>✓ <b>Principle met</b> The proposed materials of face bricks and rendered cladding are similar to those found in surrounding residential developments.</p> <p>✓ <b>Principle met</b> Materials are suited to residential developments</p> <p>✓ <b>Principle met</b> The proposal has been well articulated through variation to form and materials and varying setbacks.</p> <p>! <b>Condition required</b> On the west elevation, a light grey colour is provided to 80% of the first floor whilst 80% of the ground floor is provided with a dark grey colour. It is recommended that each dwelling should be provided with a different colour or shading from the adjoining dwelling to provide each dwelling with a sense of identity from the adjoining dwelling. This could be conditioned.</p> <p>On the east elevation, a dark grey colour is provided to the entire ground floor walls. The first floor colour shading is varied for Units 1 to 3 but the same colour shading is used for Units 3 and 4. It is recommended that the same condition applying to the west elevation should apply to the east elevation requiring each dwelling to be provided with a different colour or shading to the adjoining dwelling. This could be conditioned.</p>
	<p>Avoid the use of commercial or industrial style building materials and finishes.</p> <p>Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.</p> <p>Use a consistent simple palette of materials, colours finishes and architectural detailing.</p>	<p>✓ <b>Principle met</b> The materials chosen are durable.</p>
Domestic services normal	<p>Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p> <p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p>	

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

to a dwelling and Building services	<p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> <li>• Within secluded private open space areas, including balconies; and</li> <li>• Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.</li> </ul>	<p>✓ <b>Principle met</b> The proposed mail boxes are located adjacent to the street.</p> <p>✓ <b>Principle met</b> Domestic services would be located away from the prime secluded private open space areas. The proposed mail boxes are located adjacent to the streets.</p>
Internal Amenity	<p>Residential development should:</p> <p>Ensure that dwelling layouts have connectivity between the main living area and private open space.</p> <p>Be designed to avoid reliance on borrowed light to habitable rooms.</p> <p>Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.</p> <p>Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 &amp; 7, 55.05-3, 4 &amp; 5.</p>	<p>✓ <b>Principle met</b> Living room and prime POS for each dwelling is connected.</p> <p>✓ <b>Principle met</b> Windows are provided to all habitable rooms and would not rely on borrow light.</p> <p>✓ <b>Principle met</b> The development would orientate the majority of habitable room windows toward the street or common accessway.</p> <p>✓ <b>Principle met</b> All the dwellings would have ground floor living areas.</p>

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<b>Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)</b> Principle met/Principle not met/NA	
<b>Titles &amp; Objectives</b>	<b>Principles</b>
<b>Preferred housing type</b>	The preferred housing type for the Incremental Change Area is medium density.  ✓ <b>Principle met</b> Medium density proposed
<b>Building Height</b>	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level. The preferred maximum building height for land within the GRZ3 is 3 storeys, including ground level.  ✓ <b>Principle met</b> Two storeys proposed
<b>Landscaping</b>	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties.  ✓ <b>Principle met</b> Adequate space would be reserved for landscaping which could accommodate canopy trees.
<b>Setbacks, front boundary and width</b>	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.  ✓ <b>Principle met</b> Paving is limited to the 3-metre wide crossover and a pedestrian accessway.
<b>Private open space</b>	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.  ✓ <b>Principle met</b> The secluded private open space is located at either the side or rear of the dwellings.
<b>Bulk &amp; Built Form</b>	Residential development should: <ul style="list-style-type: none"> <li>• ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</li> <li>• be well articulated through the use of contrast, texture, variation in forms, materials and colours.</li> </ul> Residential development in the GRZ1 and GRZ2 should: <ul style="list-style-type: none"> <li>• provide separation between dwellings at the upper level;</li> <li>• retain spaces of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</li> <li>• position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</li> </ul> ✓ <b>Principle met</b> The built form is not dissimilar to the surrounding developments.
	<b>Not applicable</b> All upper floors would be attached. As the site is within a GRZ3, separation at first floor is not required.

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Within the GRZ1 and GRZ2 the rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot in the GRZ1 and GRZ2 may be considered where:</p> <ul style="list-style-type: none"> <li>the visual impact of the building bulk does not adversely affect the identified future character of the area; overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;</li> <li>the building bulk does not adversely affect the planting and future growth of canopy trees to maturity;</li> <li>sufficient side and rear boundary landscaping can be provided to screen adjoining properties;</li> <li>upper storey components are well recessed from adjoining sensitive interfaces.</li> </ul> <p>Separation between upper levels of dwellings on a site in the GRZ3 is not generally needed, provided the building portrays a high standard of design and does not result in unreasonable amenity impacts.</p>	<p><b>Not applicable</b>                  All the dwellings would be double storey.                  As the site is within a GRZ3, separation at first floor is not required.</p> <p><b>Condition required</b>                  As mentioned in the above assessment under Materials &amp; Finishes, the elevations could be further improved by requiring each dwelling to have a different colour or shading from the adjoining dwelling. This could be conditioned.</p>
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**Note: Other requirements also apply. These can be found at the schedule to the applicable zone.**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 15 MAPLE STREET, SPRINGVALE  
(PLANNING APPLICATION NO. PLN21/0177)**

**ATTACHMENT 4**

**CLAUSE 52.06 ASSESSMENT**

**PAGES 6 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Assessment Table - Clause 52.06**

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	<p>Accessways must:</p> <ul style="list-style-type: none"> <li>• Be at least 3 metres wide.</li> <li>• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</li> <li>• Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.</li> <li>• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</li> <li>• If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.</li> <li>• Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.</li> <li>• Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</li> </ul>	<p><b>✓ Standard met</b>                      The proposed accessway would be 3.5 metres wide.</p> <p><b>✓ Standard met</b>                      There would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.                      The proposal was referred to Council's Transport Planning team, who had no concern with the proposed parking layout.</p> <p><b>Not Applicable</b></p> <p><b>✓ Standard met</b>                      The accessway or garage doors would have a headroom clearance of at least 2.1m.</p> <p><b>✓ Standard met</b>                      There would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.</p> <p><b>✓ Standard met</b>                      The accessway would serve seven (7) car spaces. Thus, a passing area is not required.</p> <p><b>✓ Standard met</b>                      Corner splays have been provided and annotated.</p>

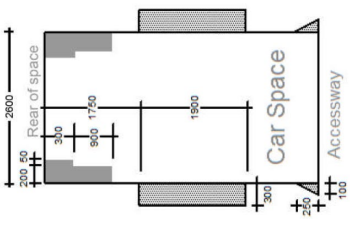
*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<p><b>Design standard 2 – Car parking spaces</b></p>	<p>If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.</p> <p>If entry to the car space is from a road, the width of the accessway may include the road.</p> <p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p><b>Table 2: Minimum dimensions of car parking spaces and accessways</b></p> <table border="1" data-bbox="411 878 703 1556"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p><b>Not Applicable</b>                      The site does not adjoin a Transport Zone.</p> <p><b>Not Applicable</b></p> <p><b>✓ Standard met</b>                      All garages comply with the minimum required.</p>
	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																														
Parallel	3.6 m	2.3 m	6.7 m																															
45°	3.5 m	2.6 m	4.9 m																															
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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<p>✓ <b>Standard met</b>                  Proposed garages provided would have sufficient internal clearance and not obstructed.</p>	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> <li>• A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</li> <li>• A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul> <p><b>Diagram 1 Clearance to car parking spaces</b></p>  <p>Dimensions in millimetres                  ■ Clearance required                  ■ Tree or column permitted</p>	<p>✓ <b>Standard met</b>                  The double garages provided would be 5.5m wide x 6m long and single garages would be 3.5m wide by 6m long.</p>
<p>✓ <b>Standard met</b>                  The garage of Unit 1 would be 3.5m wide by 11m long and capable to accommodate two (2) car spaces in a tandem arrangement.</p>	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p> <p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>	<p>✓ <b>Standard met</b>                  Each dwelling would have at least 1 undercover car space.</p>
<p>✓ <b>Standard met</b>                  Each dwelling would have at least 1 undercover car space.</p>	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>	

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>	<p><b>Not Applicable</b></p>																
<p><b>Design standard 3: Gradients</b></p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p> <p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p> <table border="1" data-bbox="414 851 606 1556"> <thead> <tr> <th colspan="3">Table 3: Ramp gradients</th> </tr> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Table 3: Ramp gradients			Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	<p><b>✓ Standard met</b>                  The land is generally flat with a fall of 0.65m from the front to the rear. The grades of the driveway would not be steeper than 1:10 within 5m of the frontage.</p> <p><b>✓ Standard met</b></p>
Table 3: Ramp gradients																		
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Private or residential car parks	20 metres or less	1:4 (25%)																
	longer than 20 metres	1:5 (20%)																
<p><b>Design standard 4: Mechanical parking</b></p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> <li>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.</li> <li>Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.</li> <li>The design and operation is to the satisfaction of the responsible authority.</li> </ul>	<p><b>Not Applicable</b>                  No mechanical parking proposed.</p> <p><b>Not Applicable</b></p> <p><b>Not Applicable</b></p>																
<p><b>Design standard 5: Urban design</b></p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p><b>✓ Standard met</b>                  All car spaces would be behind Unit 1 and not dominate the street.</p>																

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p> <p>Design of new internal streets in developments must maximise on street parking opportunities.</p> <p>Car parking must be well lit and clearly signed.</p> <p>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</p> <p>Pedestrian access to car parking areas from the street must be convenient.</p> <p>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</p>	<p>✓ <b>Standard met</b>                  Car parking within the garages would integrate with the design of the building and would not be visually dominating.</p> <p>✓ <b>Standard met</b>                  Proposed car parks are appropriate.</p> <p><b>Not Applicable</b></p> <p>✓ <b>Standard met</b>                  Security lighting have been annotated on the plans.</p> <p>✓ <b>Standard met</b>                  The car spaces and common driveway would have natural surveillance from the ground floors habitable room windows.</p> <p>✓ <b>Standard met</b>                  Access to the car parking areas would be convenient from the street.</p> <p>✓ <b>Standard met</b>                  The street adjoining the site is not a high traffic street.</p>
<p><b>Design standard 6:                  Safety</b></p>	<p>The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.</p> <p>Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.</p> <p>Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.</p>	<p>✓ <b>Standard met</b>                  Landscaping would be provided along both sides of the accessway to provide adequate catchment areas for water run-off.</p> <p>✓ <b>Standard met</b>                  Landscaping would be provided along both sides of the accessway to soften the appearance of the driveway.</p> <p>✓ <b>Standard met</b>                  Substantial landscaping and adequate spacing for canopy trees have been provided.</p>
<p><b>Design standard 7:                  Landscaping</b></p>		

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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177)  
(Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NO. 15 MAPLE STREET, SPRINGVALE  
(PLANNING APPLICATION NO. PLN21/0177)**

**ATTACHMENT 5**

**CLAUSE 55 ASSESSMENT**

**PAGES 30 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)**

**Clause 55.02-1 Neighbourhood character objectives**

Title & Objective		Standard Met/Standard Not Met/NA
<b>Standard B1</b>	Standard (Summarised)	<b>Standard met</b> The design response is considered appropriate in the context of the site and surrounding area, with a proposal for a medium density residential development in an established and well-serviced area.  At a site level, the design response has considered matters relating to overshadowing and overlooking, with compliance with all relevant standards and objectives.  The provision of areas of landscaping responds to the landscaped character of the surrounding area and the use of brickwork and rendered first floor generally matches the style and materials palette of the wider area.  The proposal has been designed in a way to respect the area while delivering on the expectations for medium density development.  See Clause 22.09 Assessment for further discussion.
	The design response must be appropriate to the neighbourhood and the site.	<b>Standard met</b> The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.  Any relevant neighbourhood character objective, policy or statement set out in this scheme.  The neighbourhood and site description.  The design response.  To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.  To ensure that development responds to the features of the site and the surrounding area.
<b>Decision Guidelines</b>		<b>Standard met</b> See Clause 22.09 Assessment for further discussion.
<b>Objectives</b>		

*If the details of the attachment are unclear please contact Governance on 8571 5309.*

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.02-2 Residential policy objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B2</b>	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	The PPF and the LPPF including the MSS and local planning policies. The design response.	<b>Standard met</b> The application was accompanied by a written assessment of the proposal against the relevant PPF and Local Policies.
<b>Decision Guidelines</b>	To ensure that residential development is provided in accordance with any policy for housing in the PPF and the LPPF, including the MSS and local planning policies. To support medium densities in areas where development can take advantage of public and community infrastructure and services.		<b>Objective met</b>

**Clause 55.02-3 Dwelling diversity objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B3</b>	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> <li>• Dwellings with a different number of bedrooms.</li> <li>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>		<b>N/A</b> As less than 10 dwellings proposed.
<b>Objective</b>	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.		<b>Objective met</b>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.02-4 Infrastructure objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B4</b>	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	<p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p> <p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p> <p><b>Standard met</b>                      Development can be suitably accommodated into infrastructure of the established area.</p>
<b>Decision Guidelines</b>	<p>The capacity of the existing infrastructure.</p> <p>In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017.</p> <p>If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.</p>	
<b>Objectives</b>	<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p><b>Objective met</b></p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.02-5 Integration with the street objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B5</b>	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.  Developments should be oriented to front existing and proposed streets.  High fencing in front of dwellings should be avoided if practicable.  Development next to existing public open space should be laid out to complement the open space.	<b>Standard met</b> Each dwelling is accessible by vehicles and pedestrians.  <b>Standard met</b> The front dwelling would face Maple Street. The remaining units face the internal accessway.  <b>Standard met</b> No front fence is proposed.
<b>Decision Guidelines</b>	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	<b>N/A</b> The site is not next to public open space.
<b>Objective</b>	To integrate the layout of development with the street.	<b>Objective met</b>



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.03-1 Street setback objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B6	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, the distance specified in Table B1.</li> </ul> <p>Porches, pergolas, and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p> <p><b>GRZ3: 5 metres or as per Table B1, whichever is the lesser.</b></p>	<p><b>Standard met</b></p> <p>The proposed Unit 1 would have a front setback from Maple Street of 5m, consistent with the setback permitted by Schedule 3 to the General Residential Zone.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.  If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.  Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.
<b>Decision Guidelines</b>	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 from adjoining properties.  The value of retaining vegetation within the front setback.  To ensure that the setbacks of buildings from a street respect the existing or preferred		
<b>Objective</b>	✓ <b>Objective met</b>		

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

neighbourhood character and make efficient use of the site.	
<b>Clause 55.03-2 Building height objective</b>	
<b>Title &amp; Objective</b>	<b>Standard Met/Standard Not Met/NA</b>
<b>Standard B7</b>	<p>✓ <b>Standard met</b> Proposed maximum height is 7.6.</p>
	N/A
	<p>✓ <b>Standard met</b> The proposed first floors would be generally recessed from the ground floors to provide a transition of single storey element to the surrounding developments.</p>
<b>Decision Guidelines</b>	
	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.  <b>GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</b></p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character</p>
<b>Objective</b>	<p>✓ <b>Objective met</b></p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.03-3 Site coverage objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B8</b>	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>The maximum site coverage specified in a schedule to the zone, or</li> <li>If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul> <b>GRZ3: 70% maximum</b>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>Standard met</p> <p>Lot size 794sqm</p> <p>Maximum site coverage permitted: 70%.</p> <p>Site coverage provided: 43.6%</p>
<b>Decision Guidelines</b>			
<b>Objective</b>			Objective met

**Clause 55.03-4 Permeability objectives**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B9</b>	The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> <li>The minimum areas specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> </ul> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> <li>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> <li>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul>	<p>The design response.</p> <p>The capacity of the site to incorporate stormwater retention and reuse.</p>	<p>Standard met</p> <p>Minimum permeability required: 20%.</p> <p>Permeability provided: 35.8%.</p>
<b>Decision Guidelines</b>			

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p> <p>Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system</p> <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p>	
<b>Objectives</b>		<b>Objective met</b> ✓

**Clause 55.03-5 Energy efficiency objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B10</b></p> <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>• Oriented 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> <li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>Buildings should be:</p> <ul style="list-style-type: none"> <li>• Oriented 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> <li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b></p> <p>All the dwellings would be provided with north-facing windows.</p> <p>✓ <b>Standard met</b></p> <p>The primary secluded private open space of Unit 4 would be to the north. For Units 1 to 3, the primary SPOS would be to the west. This is considered acceptable considering the orientation of the site.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p><b>! Condition required</b>                  There is limited opportunity for north facing windows due to the orientation of the site.                   The ground floor of Unit 4 would have a window to the kitchen and living room. On the first floor, there would be no north facing window provided. It is considered that there is an opportunity for a north facing window with sill height of 1.7m to the hallway / stair of Unit 4. This could be required as a condition of any permit to be granted.</p>
<p><b>Decision Guidelines</b></p>	<p>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.                  The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.                  Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.                  The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.</p>	
<p><b>Objectives</b></p>	<p>To achieve and protect energy efficient dwellings and residential buildings.                  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>✓ Objective met</b></p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.03-6 Open space objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B11</b>		If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul>	N/A No communal or public open space proposed.
<b>Decision Guidelines</b>		Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework. The design response.	
<b>Objective</b>		To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	✓ <b>Objective met</b>

**Clause 55.03-7 Safety objective**

Title & Objective		Standards	Standard Met/Standard Not Met/NA
<b>Standard B12</b>		Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.	The entry to each dwelling would be visible from Maple Street or the accessway. ✓ <b>Standard met</b> Planting along the shared accessways would be low ground cover plants which would not reduce visibility of the entrances of the dwellings. ✓ <b>Standard met</b> High mounted sensor lights have been annotated adjacent or above each garage. Bollard lights have also been annotated along the common accessway to provide security at night. ✓ <b>Standard met</b> Private spaces are delineated by fencing.
<b>Decision Guidelines</b>		The design response.	
<b>Objectives</b>		To ensure the layout of development provides for the safety and security of residents and property.	✓ <b>Objective met</b>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<b>Clause 55.03-8 Landscaping objectives</b>	
<b>Title &amp; Objective</b>	<b>Standards</b>
<b>Standard B13</b>	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>Protect any predominant landscape features of the neighbourhood.</li> <li>Take into account the soil type and drainage patterns of the site.</li> <li>Allow for intended vegetation growth and structural protection of buildings.</li> <li>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>Provide a safe, attractive and functional environment for residents.</li> </ul> <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p>
	<p><b>Standard Met/Standard Not Met/NA</b></p> <p><b>! Condition required</b>                      Adequate space has been provided to allow landscaping including canopy trees within the secluded private open spaces and front yard. A detailed landscape plan incorporating native canopy trees could be required as a condition of approval.</p> <p><b>✓ Standard met</b>                      There are several trees on the site which would be removed for the development. Council's arborist has reviewed the proposal and have no objection to the removal of the trees on the site.</p> <p><b>! Condition required</b>                      No significant trees would be removed.                      Replacement trees would be provided via condition of approval.</p> <p><b>! Condition required</b>                      As above, a landscape plan would be requested as a condition of any permit to be granted.</p> <p><b>✓ Standard met</b>                      70% of the front, side and rear setback areas would be provided with landscaping.</p>
<b>Decision Guidelines</b>	<p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p><b>All schedules to all residential zones:</b>  <b>"70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</b></p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p>



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<b>Objectives</b>	To encourage development that respects the landscape character of the neighbourhood.	<b>! Objective met subject to conditions</b>
	To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.	
	To provide appropriate landscaping.	
	To encourage the retention of mature vegetation on the site.	

**Clause 55.03-9 Access objective**

Standards		Standard Met/Standard Not Met/NA
<b>Standard B14</b>	The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> No more than one single-width crossover should be provided for each dwelling fronting a street.	<b>Standard met</b> Street frontage to Maple Street = 17.37m Maximum accessway width permitted: 40% or 6.64m Accessway width provided: 17.27% or 3m
	The location of crossovers should maximise retention of on-street car parking spaces.	<b>Standard met</b> No on-street car parking would be lost from the proposed development.
	The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.	<b>N/A</b> The site does not adjoin a Transport Zone.
	Developments must provide for access for service, emergency and delivery vehicles.	<b>Standard met</b> The accessway provided would be adequate in size for service, emergency and delivery vehicles.
<b>Decision Guidelines</b>	The design response. The impact on neighbourhood character. The reduction of on-street car parking spaces. The effect on any significant vegetation on the site and footpath.	
<b>Objectives</b>	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	<b>Objective met</b>

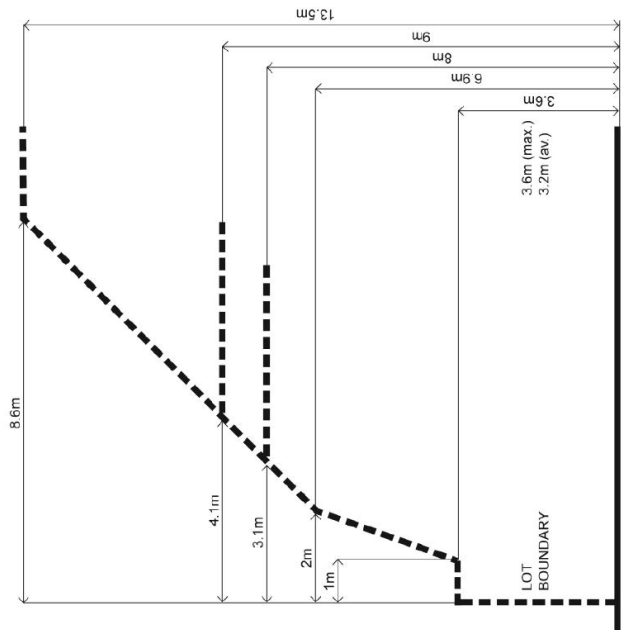
**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.03-10 Parking location objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B15</b></p>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p><b>Standard met</b></p> <p>Car parking facilities for each dwelling would be close and convenient for each dwelling. The garages of each dwelling would be secure and would be capable of being well ventilated.</p> <p><b>! Variation required / condition required</b></p> <p>The east-facing kitchen window of Units 1 and 4 would be located less than 1m from the common accessway. The windows to the foyer areas of Units 2 and 3 which connects to the living rooms are also less than 1m from the common accessway. It is recommended that noise attenuation glass should be provided to these windows to limit vehicle noise from the common driveway to the windows.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.</p>	
<p><b>Objectives</b></p>	<p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	<p><b>! Objective met subject to condition</b></p> <p>It is considered that the objective is met as the noise attenuation glass would limit noise from the driveway to these habitable room windows. In addition, these habitable room windows are to the kitchens and living rooms and not bedrooms. Thus, future residents would not be within the kitchens and living rooms late into the night. The minor variation to the setbacks of these windows is considered acceptable in this instance.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.04-1 Side and rear setbacks objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B17</b></p>	<p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p><b>Diagram B1 Side and rear setbacks</b></p>  <p>The diagram illustrates a lot boundary with various setbacks. A dashed line represents a height-based setback profile. Key dimensions include: a 1m setback at the bottom right, a 2m setback, a 3.1m setback, a 4.1m setback, a 6.9m setback, an 8m setback, a 9m setback, and a 13.5m setback. A vertical dimension of 8.6m is shown on the left. A dashed line indicates a height-based setback profile. A vertical dimension of 8.6m is shown on the left. A vertical dimension of 8.6m is shown on the left. A vertical dimension of 8.6m is shown on the left.</p>	<p><b>Standard met</b></p> <p>The diagrams on the elevation plans show that the walls not on the boundaries would be setback in accordance with this standard.</p>
<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may</p>	<p><b>Standard met</b></p> <p>There are no encroachments more than 0.5m into the</p>	<p><b>Standard met</b></p> <p>There are no encroachments more than 0.5m into the</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

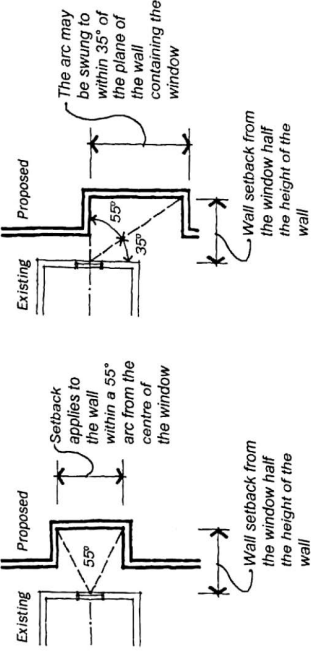
	<p>encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>setback area.</p> <p><b>✓ Standard met</b>                  There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p>
<p><b>Decision Guidelines</b></p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>	
<p><b>Objectives</b></p>	<p>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.</p>	<p><b>✓ Objective met</b></p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.04-2 Walls on boundaries objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B18</b></p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary.</p> <ul style="list-style-type: none"> <li>• For a length of more than the distance specified in the schedule to the zone; or</li> <li>• If no distance is specified in a schedule to the zone, for a length of more than:                             <ul style="list-style-type: none"> <li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> </ul> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p><b>Standard met</b></p> <p>The garage of Unit 1 would be the only wall on the boundary. The maximum length of the wall proposed on the boundary is 4.035m, well below the permissible length of 10m plus 25% of the remaining length of the boundary.</p> <p><b>Standard met</b></p> <p><b>Standard met</b></p> <p><b>Standard met</b></p> <p>The height of the garage wall of Unit 1 on the western boundary has an average height of 3.1m.</p>	
<p><b>Decision Guidelines</b></p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>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.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p> <p>The need to increase the wall height to screen a box gutter.</p>		

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

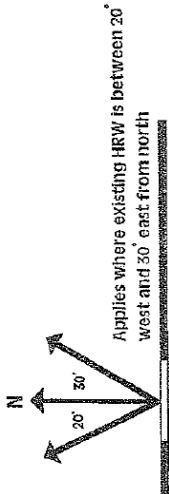
<p><b>Objectives</b></p>	<p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>✓ <b>Objective met</b></p>
<p><b>Clause 55.04-3 Daylight to existing windows objective</b></p>		
<p><b>Standards</b></p>		
<p><b>Standard B19</b></p>	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p>✓ <b>Standard met</b>                  Light courts of habitable room windows on the adjoining properties would not be impacted by the proposed development.</p> <p>✓ <b>Standard met</b>                  Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p>
<p>Walls or carpents more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent 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.</p>		
<p><b>Diagram B2 Daylight to existing windows</b></p> 		
<p><b>Decision Guidelines</b></p>	<p>The design response.</p> <p>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.</p> <p>The impact on the amenity of existing dwellings.</p>	
<p><b>Objective</b></p>	<p>To allow adequate daylight into existing habitable room windows.</p>	<p>✓ <b>Objective met</b></p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.04-4 North-facing windows objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B20</b></p>	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 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, for a distance of 3 metres from the edge of each side of the window.</p> <p><b>Diagram B3 North-facing windows</b></p> <p>Diagram B3 North-facing windows</p> <p>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>N/A</p> <p>South of the site is a road.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	 <p>Applies where existing HRW is between 20° west and 30° east from north</p>	
<b>Decision Guidelines</b>	<p>The design response.                  Existing sunlight to the north-facing habitable room window of the existing dwelling.                  The impact on the amenity of existing dwellings.</p>	
<b>Objective</b>	<p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>✓ <b>Objective met</b></p>

**Clause 55.04-5 Overshadowing open space objective**

<b>Title &amp; Objective</b>	<p><b>Standards</b></p>	<p><b>Standard Met/Standard Not Met/NA</b></p>
<b>Standard B21</b>	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>✓ <b>Standard met</b>                  To the south of the site is a road and to the west is the Springvale Park Special Development School. The proposed development would have a driveway located along the east boundary. The proposed dwellings would be located at least 4.13m from the east boundary and would not result in any shadow to the secluded private open space of the adjoining land to the east.</p> <p>✓ <b>Standard met</b>                  As above.</p>
<b>Decision Guidelines</b>	<p>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 will be available to the secluded private open space of the existing dwelling.                  The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	
<b>Objective</b>	<p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>✓ <b>Objective met</b></p>



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.04-6 Overlooking objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B22</b></p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p><b>Diagram B4: Overlooking open space</b></p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p><b>! Condition required</b></p> <p>The rear boundary fence is 2m high. The side boundary fences are only 1.7m high and not adequate to prevent overlooking. Free standing trellis extension to a minimum height of 1.8m should be provided to both side boundary fencing. This could be conditioned.</p> <p>The proposed internal boundary fencing should also be 1.8m high. This could be conditioned.</p> <p>All first floor east elevation windows would be either obscured glazed awning window or have sill height of 1.7m above finished first floor level. No screening would be provided to the first floor west elevations. The adjoining land to the west is occupied by the Springvale Park Special Developmental School which has three (3) storage sheds located adjacent to the subject site. The first floor habitable room windows of the proposed development would provide natural surveillance to the area to the rear of the sheds. This is acceptable as there would be no overlooking into any habitable room windows or private open spaces.</p>
<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> </ul>	<p><b>Standard met</b></p> <p>As above.</p>	<p><b>Standard met</b></p> <p>As above.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<ul style="list-style-type: none"> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul>	
	Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.	✓ <b>Standard met</b> As above.
	Screens used to obscure a view should be:	N/A
	<ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul>	
	The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	✓ <b>Standard met</b> As above.
<b>Decision Guidelines</b>	<p>The design response.</p> <p>The impact on the amenity of the secluded private open space or habitable room window.</p> <p>The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.</p> <p>The internal daylight to and amenity of the proposed dwelling or residential building.</p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	
<b>Objective</b>		! <b>Objective met subject to condition</b>

**Clause 55.04-7 Internal views objective**

<b>Title &amp; Objective</b>	<b>Standards</b>	<b>Standard Met/Standard Not Met/NA</b>
<b>Standard B23</b>	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	✓ <b>Standard met</b> There would be no internal overlooking.
<b>Decision Guidelines</b>	The design response.	
<b>Objective</b>	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	✓ <b>Objective met</b>

**Clause 55.04-8 Noise impacts objectives**

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B24</b>	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	<b>Standard met</b> No noise sources apparent. <b>Standard met</b> No noise sources apparent. <b>Standard met</b> The site does not adjoin busy roads, railway lines or industry.
<b>Decision Guidelines</b>	The design response.	
<b>Objectives</b>	To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	<b>Objective met</b>

**Clause 55.05-1 Accessibility objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B25</b>	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	<b>Standard met</b> The floor levels proposed are not excessively high and could be accessible to people with limited mobility.
<b>Objective</b>	To encourage the consideration of the needs of people with limited mobility in the design of developments.	<b>Objective met</b>

**Clause 55.05-2 Dwelling entry objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B26</b>	Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	<b>Standard met</b> The entrance to each dwelling is provided with an entry point to provide a sense of address and can be identified from the street or the internal accessway.
<b>Objective</b>	To provide each dwelling or residential building with its own sense of identity.	<b>Objective met</b>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.05-3 Daylight to new windows objective**

Title & Objective		Standard Met/Standard Not Met/NA
<b>Standard B27</b>	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> <li>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>A verandah provided it is open for at least on third of its perimeter, or</li> <li>A carport provided it has two or more open sides and is open for at least on third of its perimeter.</li> </ul>	<p><b>Standard met</b></p> <p>Each habitable room window would face an outdoor space.</p>
<b>Decision Guidelines</b>	<p>The design response.</p> <p>Whether there are other windows in the habitable room which have access to daylight.</p>	
<b>Objective</b>	To allow adequate daylight into new habitable room windows.	<b>Objective met</b>

**Clause 55.05-4 Private open space objective**

Title & Objective		Standard Met/Standard Not Met/NA																				
<b>Standard B28</b>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p><b>GRZ3:</b></p> <p><i>An area of 40 square metres of ground level, private open space, with one part of the private open space to consistent of secluded private open space at the side or rear of the dwelling with a minimum area of 25 square metres, and a minimum dimension of 3 metres and convenient access from a living room; or</i></p> <p><i>A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or</i></p> <p><i>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</i></p>	<p><b>Standard Met/Standard Not Met/NA</b></p> <p><b>! Variation required</b></p> <p>The areas of private open spaces for the dwellings are as follow (in square metres):</p> <table border="1"> <thead> <tr> <th></th> <th>Ground floor private open space (sqm)</th> <th>Ground floor secluded private open space (sqm)</th> <th>Total (sqm)</th> </tr> </thead> <tbody> <tr> <td>Unit 1</td> <td>64</td> <td>25</td> <td>89</td> </tr> <tr> <td>Unit 2</td> <td>N/A</td> <td>41</td> <td>41</td> </tr> <tr> <td>Unit 3</td> <td>N/A</td> <td>41</td> <td>41</td> </tr> <tr> <td>Unit 4</td> <td>N/A</td> <td>58</td> <td>58</td> </tr> </tbody> </table> <p>Each dwelling would be provided with a minimum of 40sqm of private open space with one part comprising secluded private open space with a minimum area of 25sqm and a minimum dimension of 3m.</p> <p>The prime secluded private open space of Unit 1 would protrude into the front setback area by 1m. The minor protrusion is considered acceptable having considered that the site is at the end of a court located adjacent to a Public Use Zone 2 and that a canopy tree would be provided to the front of the prime secluded private open space to screen it from the street.</p>		Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)	Unit 1	64	25	89	Unit 2	N/A	41	41	Unit 3	N/A	41	41	Unit 4	N/A	58	58
	Ground floor private open space (sqm)	Ground floor secluded private open space (sqm)	Total (sqm)																			
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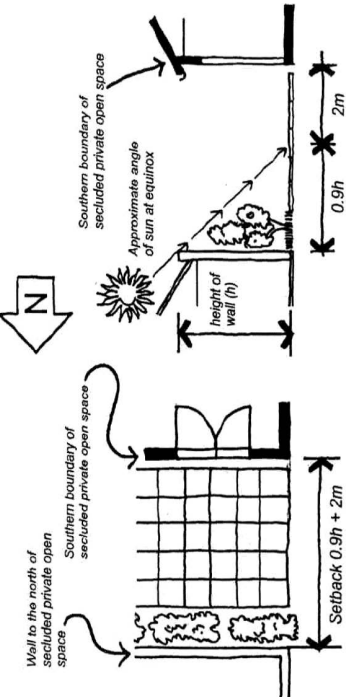
**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	<p>N/A</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>	
<p><b>Objective</b></p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>✓ <b>Objective met</b></p>

**Clause 55.05-5 Solar access to open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p><b>Standard B29</b></p>	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>✓ <b>Standard met</b></p> <p>The primary secluded private open space of Unit 4 would be to the north. For Units 1 to 3, the primary secluded private open spaces would be to the west of the dwellings. This is considered acceptable considering the orientation of the site.</p>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.</p> <p><b>Diagram B5 Solar access to open space</b></p> 	<p><b>! Variation required</b>                  The primary secluded private open spaces of the Units 1 and 3 would be located to the south of a wall.                  The secluded private open spaces would require to be setback the following distance from the walls to the north:</p> <p>Required setback from ground floor wall  <math>2 + 0.9 \times 3.1 = 4.79\text{m}</math></p> <p>Required setback from first floor wall  <math>2 + 0.9 \times 6.5 = 7.85\text{m}</math></p> <p>The prime secluded private open space of Unit 1 would be setback 6.55m from the ground floor and first floor walls to the north. The setback from the ground floor wall complies. The setback from the first floor wall to the north requires a variation of 1.3m. The minor variation is considered acceptable considering that Unit 1 has a large front yard of 64sqm and that the first floor wall to the north of the prime secluded private open space area being Bedroom 3 of Unit 1, would be located only partially to the north of the prime secluded private open space of Unit 1.</p> <p>The prime secluded private open space of Unit 3 would be setback 10m from the ground floor and first floor walls to the north and complies.</p>
<p><b>Decision Guidelines</b></p>	<p>The design response.                  The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
<p><b>Objective</b></p>	<p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p>✓ <b>Objective met</b></p>

**Clause 55.05-6 Storage objective**

<p>Standards</p>	<p>Standard Met/Standard Not Met/N/A</p>
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**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

<b>Standard B30</b>	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ <b>Standard met</b> Each dwelling provided with a minimum 6 cubic metres of external storage in the form of a storage shed or a storage area under the stairway accessible from the garage.
<b>Objective</b>	To provide adequate storage facilities for each dwelling.	✓ <b>Objective met</b>

**Clause 55.06-1 Design detail objective**

<b>Title &amp; Objective</b>	<b>Standards</b>	<b>Standard Met/Standard Not Met/NA</b>
<b>Standard B31</b>	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> <li>• Façade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> <p>should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>✓ <b>Standard met</b> The proposed front setback, external materials and roof form is consistent with the existing and preferred character of the area.</p>
<b>Decision Guidelines</b>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</p> <p>Whether the design is innovative and of a high architectural standard.</p>	<p>✓ <b>Standard met</b> The garages would be to the rear of Unit 1 and hidden from the street.</p>
<b>Objective</b>	To encourage design detail that respects the existing or preferred neighbourhood character.	✓ <b>Objective met</b>

**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.06-2 Front fences objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA						
<p><b>Standard B32</b></p>	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone, or</li> </ul> <p><b>All schedules to all residential zones:</b></p> <p><b>“Maximum 1.5 metre height in streets in a Transport 2 Zone                      1.2 metre maximum height for other streets”</b></p> <ul style="list-style-type: none"> <li>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</li> </ul> <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="582 974 678 1608"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Transport Zone 2</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Transport Zone 2	2 metres	Other streets	1.5 metres	<p>✓ <b>Standard met</b>                      No front fence is proposed.</p> <p>✓ <b>Standard met</b>                      No front fence is proposed.</p>
Street Context	Maximum front fence height							
Streets in a Transport Zone 2	2 metres							
Other streets	1.5 metres							
<p><b>Decision Guidelines</b></p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p>							
<p><b>Objective</b></p>	<p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p>✓ <b>Objective met</b></p>						



**2.2.2 Town Planning Application - No. 15 Maple Street, Springvale (Planning Application No. PLN21/0177) (Cont.)**

**Clause 55.06-3 Common property objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B33</b>	Developments should clearly delineate public, communal and private areas.	✓ <b>Standard met</b> Appropriate fencing has been including to delineate private areas.
<b>Objectives</b>	Common property, where provided, should be functional and capable of efficient management.  To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.  To avoid future management difficulties in areas of common ownership.	✓ <b>Standard met</b> The driveway would form common property if the land is to be subdivided. This area would be functional and capable of efficient management.  ✓ <b>Objective met</b>

**Clause 55.06-4 Site services objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<b>Standard B34</b>	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	✓ <b>Standard met</b> Adequate space has been allocated for services.
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	✓ <b>Standard met</b> Mailboxes for the development provided to front of site. Each unit provided with bin area and communal meter boxes provided.
	Bin and recycling enclosures should be located for convenient access by residents.	✓ <b>Standard met</b> Rubbish and recycling bins located within POS area of each unit.
	Mailboxes should be provided and located for convenient access as required by Australia Post.	✓ <b>Standard met</b> Mailboxes provided.
<b>Decision Guidelines</b>	The design response.	
<b>Objectives</b>	To ensure that site services can be installed and easily maintained.  To ensure that site facilities are accessible, adequate and attractive.	✓ <b>Objective met</b>

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### 2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619)

File Id:	425745
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans and Alcohol Management Plan Original permit and endorsed plans

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#### Application Summary

Applicant:	PAJ Liquor Licensing
Proposal:	Amendment to: Development and use of the site for the purposes of a Place of Assembly with an on-premises licence and display of business identification signage. The amendment seeks to: - Alter the permit conditions and endorsed plans to allow an increase in hours of operation, increase in patron numbers, increase in red line area and alter layout of the premises. - Alter the permit preamble to include a reduction in car parking requirements.
Zone:	Commercial 1 Zone
Overlay:	Design and Development Overlay Schedule 6
Ward:	Springvale Central

This application is brought before the Council as all applications for a liquor licence (where not associated with a food and drink premises) must be determined at a Council meeting.

The application proposes to amend an existing planning permit.

Planning permit PLN16/0567 allows for development and use of the site for the purposes of a Place of Assembly with an on-premises licence and display of business identification signage. A permit was required pursuant to:

Clause 34.01-1 (Commercial 1 Zone) to use land for the purpose of a Place of Assembly.

Clause 34.01-4 (Commercial 1 Zone) to construct building and works.

Clause 52.27 (Licensed Premises) to use land to sell or consume liquor.

Clause 52.05 (Advertising Signs) and Clause 43.02 (Schedule 6 to the Design and Development Overlay) to display business identification signs exceeding 8 square metres and for the display of an above-verandah sign.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

The applicant is now proposing to amend the permit preamble to allow a reduction in car parking, amend the permit conditions and the endorsed plans to increase the hours of operation, increase patron numbers, amend the layout of the premises and increase the red line area.

**Objectors Summary**

The application was advertised to the surrounding area through the erection of a notice on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers. Zero (0) objections were received to the application.

**Assessment Summary**

The proposed amendments are not considered to result in adverse amenity impacts on the surrounding area, subject to conditions to ensure that the use is appropriately controlled and maintained.

**Recommendation Summary**

As assessed, officers consider this proposal to be highly compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme, subject to conditions. The proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that an Amended Permit be issued subject to the conditions as set out in the recommendation.

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

The subject site is located on the north side of Balmoral Avenue, approximately 50m west of the intersection with Springvale Road. The site has a frontage of 20.12m, a depth of 25.6m and a site area of 515 square metres.

The site contains a double-storey building constructed in 1967. The building is setback approximately 6.5m from the front boundary. There are 6 on-street car parking spaces which partly protrude into the site boundary. A footpath is located between the on-street car parking and the existing building.

The ground level of the existing building contains two (2) shops with one shop occupied by a butcher shop and the other shop is occupied by a restaurant. The first floor is currently used as a Karaoke Bar. Pedestrian access to the first floor is via a stairway from Balmoral Avenue.

**Surrounding Area**

The site is located in the Springvale Activity Centre core and is surrounded by retail premises, offices and food and drink premises to the north, east and west. Opposite the site is a multi-storey mixed used development comprising retail uses on the ground level, and residential development on the first and second floor.

**Locality Plan**



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### 2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)

#### Background

##### Previous Applications

A search of Council records revealed that Council has previously considered the following planning applications for the site:

- Planning Permit No. PLN10/0630 was issued on 4 March 2011 to use the First Floor Suite 1-2/1-3 Balmoral Avenue for the purpose of a Restricted Recreation Facility (Gymnasium).
- Planning Permit No. PLN16/0567 was issued on 13 September 2017 for development and use of the site for the purposes of a Place of Assembly with an on-premises licence and display of business identification signage.

#### Proposal

The application proposes to amend the permit (PLN16/0567) to:

- Amend Condition 7 and 8 to increase the hours of operation;
- Amend Condition 10 to increase the patron numbers from a maximum thirty six (36) patrons to one hundred and ten (110) patrons,
- Amend and increase the existing redline plan;
- Amend the endorsed plans by internally rearranging the layout of the building; and
- Allow for a reduction in car parking requirements.

A full outline of the proposed amendments is detailed below:

#### Condition 7

Condition 7 on the permit currently reads as follows:

*The use, may operate only between the following hours:*

- *Sunday to Thursday: 9am to 11pm*
- *Friday and Saturday: 9am to 12midnight*

*Unless with the further written consent of the Responsible Authority.*

Condition 7 is proposed to read as follows:

*The use, may operate only between the following hours:*

- *Sunday to Thursday: 6pm to 1am the following day*
- *Friday and Saturday: 6pm to 1am the following day*

*Unless with the further written consent of the Responsible Authority.*

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Condition 8**

Condition 8 on the permit currently reads as follows:

*The only Liquor Licence which may be applied for shall be an On-Premises Licence and the times for the consumption of alcohol shall be restricted to the following hours:*

- *Sunday to Thursday: 6pm to 11pm*
- *Friday and Saturday: 6pm to 12midnight*

*Unless with the further written consent of the Responsible Authority.*

Condition 8 is proposed to read as follows:

*The only Liquor Licence which may be applied for shall be an On-Premises Licence and the times for the consumption of alcohol shall be restricted to the following hours:*

- *Sunday to Thursday: 6pm to 1am the following day*
- *Friday and Saturday: 6pm to 1am the following day*

*Unless with the further written consent of the Responsible Authority.*

**Condition 10**

Condition 10 on the permit currently reads as follows:

*Without the written permission of the Responsible Authority, no more than thirty-six (36) patrons shall be permitted on the site at any time.*

Condition 10 is proposed to read as follows:

*Without the written permission of the Responsible Authority, no more than one hundred and ten (110) patrons shall be permitted on the site at any time.*

Endorsed plans/red line plan

The internal layout of the premises is proposed to be amended to delete the storerooms and staff room and include 4 karaoke rooms.

The red line area is proposed to be extended to include the 4 karaoke rooms.

A new Alcohol Management Plan has been submitted to address safety, amenity, health and wellbeing through management of alcohol provision

**Preamble/Car parking reduction**

Pursuant to Clause 52.06 of the Greater Dandenong Planning Scheme, the use of the land for a Place of Assembly requires 0.3 car parking spaces per patron. Therefore, the proposal for 110 patrons requires 33 car parking spaces. No car parking spaces are provided on the site (with the exception



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### **2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

of the 6 on street spaces along Balmoral Avenue which partly protrude into the subject site). Therefore, the application proposes a reduction of 33 car parking spaces. It is proposed to amend the permit preamble to allow for a full reduction in car parking.

*A copy of the submitted plans is included as Attachment 1.*

#### **Victorian Charter of Human Rights and Responsibilities**

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

#### **Financial Implications**

No financial resources are impacted by this report.

#### **Planning Scheme and Policy Frameworks**

Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required:

- Clause 34.01-1 (Commercial 1 Zone) to use land for the purpose of a Place of Assembly.
- Clause 34.01-4 (Commercial 1 Zone) to construct building and works.
- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor.
- Clause 52.05 (Advertising Signs) to display business identification signs exceeding 8 square metres and for the display of an above-verandah sign.
- Clause 52.06-3 (Car parking) to reduce the number of car parking spaces required under Clause 52.06-5.

The relevant controls and policies are as follows:

#### Zoning Controls

The subject site is located in a Commercial 1 Zone, as is the surrounding land on all four (4) sides.

The purposes of the Commercial 1 Zone outlined at Clause 34.01 are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Pursuant to the Table to Clause 34.01-1, a permit is required to use land for the purpose of a Place of Assembly.

Pursuant to Clause 34.01-4, a permit is required to construct building or works.

The decision guidelines are at Clause 34.01-8.

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### **2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

Pursuant to Clause 34.01-9, advertising sign requirements are at Clause 52.05. This zone is in Category 1.

#### **Overlay Controls**

The site is affected by the Design and Development Overlay – Schedule 6 and Parking Overlay – Schedule 1.

#### **Clause 43.02 - Design and Development Overlay Schedule 6**

The purposes of the Design and Development Overlay are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Design Objections from Schedule 6 to the Design and Development Overlay are:

- *To implement the Springvale Activity Centre Structure Plan (2017) and the Springvale Activity Centre Building Heights and Setbacks Study (2016) to maintain and create a strong and distinct image of the Springvale Major Activity Centre.*
- *To encourage higher density development, whilst maintaining the fine grain rhythm at street level, and achieve a transition down in scale to reduce amenity impacts to the surrounding established residential areas.*
- *To ensure the height and setbacks of development delivers a high quality public realm which maintains sunlight and comfortable wind conditions.*
- *To encourage high quality buildings and ensure building separation and setbacks achieve high levels of external and internal amenity for occupants, visitors and the general public which may require consolidation of sites.*
- *To enhance the amenity and appearance of the industrial area (Precinct 11).*

#### **Clause 45.09 - Parking Overlay**

The purposes of the Parking Overlay are:

- *To implement the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

Under part 2 of Schedule 1 to the Parking Overlay, a permit cannot be granted to reduce or waive the car parking requirement for the uses specified in part 3.0 of this schedule unless car parking entitlements or credits exist.



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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

Part 4.0 contains the financial contribution requirement which states:

A cash contribution of \$19,000 (excl. GST and current as at July 2010, will be indexed annually in accordance with Consumer Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) in respect of each car parking space or part thereof which is required under this Scheme and which is not provided onsite (but net of car parking entitlements and credits) must be paid to the responsible authority.

Until Council is paid the cash contribution specified in this schedule and/or an agreement has, or agreements have, been made under Section 173 of the Act guaranteeing future payments of cash contributions for 80 parking spaces in the Balmoral Avenue car park, any permit for:

- The use of land for Shop, Office, Industry or Dwelling, as per part 2.0 of this Schedule;
- The expansion of floor area of any use, which results in more leasable floor space;
- The development of any land for a use in Section 1 or 2 of the Business 1 (B1Z) or Business 5 (B5Z) zones.

Must contain a condition to the following effect:

*Prior to the commencement of the use or development allowed under this permit a payment of \$19,000.00 excl. GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook), must be paid to the responsible authority in respect of each car parking space required under the Scheme, but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.*

Or alternatively:

*Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 in which the owner agrees to pay a contribution of \$19,000.00 excluding GST (subject to indexation according to the Scheme) in respect of each car parking space which is required under this Scheme, but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.*

*The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest paid within 3 years of the first instalment.*

The proposed use is not a Shop, Office, Industry or Dwelling nor would the proposed development result in more leasable floor space. Therefore, a cash contribution is not relevant to this application.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**State Planning Policy Framework**

The **Operation of the State Planning Policy Framework** outlined at Clause 10 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of Planning in Victoria are noted as:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the State Planning Policy Framework that need to be considered under this application.

**Clause 11 - Settlement**

Clause 11 states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

**Clause 13.05-1S- Noise abatement**

Clause 13.05-1S seeks to assist the control of noise effects on sensitive land uses. The policy documents include Environment Protection Regulations under the Environment Protection Act 2017 and Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826.2, Environment Protection Authority, March 2021).

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

***Clause 17 – Economic Development***

Under this Clause, it notes that planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity, and planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts so that each district may build on its strengths and achieve its economic potential.

Clause 17.01-1 (Business) has the objective to encourage development which meet's the community's needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

The matter of Transport is considered at Clause 18, with Integrated Transport focused on under Clause 18.01. A relevant objective of that Clause which needs to be considered under this application includes that listed at Clause 18.01-1 relating to Land Use and Transport Planning, with that objective:

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

**Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

*Clause 21.04-2 Retail, Commerce and Entertainment*

**Environmental issues** – The easy accessibility by train and other modes of public and private transport to the retail and commercial centres of central Dandenong, Springvale and Noble Park helps achieve environmental sustainability. This needs to be maintained and improved by providing facilities and services accessible by bicycle and walking.

**Economic issues** – Greater Dandenong's retail, commercial, industrial and entertainment uses provide a range of jobs. Strengthening these assets will attract visitors from outside the municipality and improve employment opportunities. With suitable promotion, they could realise increased economic benefits for the City.

The Springvale Activity Centre is a popular and vibrant multicultural retail and business centre in Melbourne's south east. It is one of four major retail precincts in the City of Greater Dandenong.

Supporting higher density residential at upper levels of buildings and the location of office and commercial activities in activity centres will improve the economic viability and sustainability of those centres.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Social issues** – Local retail centres can act as a focus for local communities helping strengthen local connections. Entertainment and associated uses are important in maintaining local cultural vitality but need to be managed to avoid late night disturbances to surrounding residents, and inadequate provision of car parking.

The following objectives and strategies are relevant:

2. To reinforce and develop the role, character and identity of activity centres outside of Central Dandenong

2.1 Focus major new retail activities to Springvale, Parkmore and Noble Park – the major activity centres and in neighbourhood centres located throughout the municipality.

2.2 Encourage additional retail diversity that complements the core retail function.

2.3 Reinforce Springvale Activity Centre as a vibrant multicultural focal point in the region.

2.4 Encourage pedestrian activity and ground floor uses with active frontages.

2.5. Encourage businesses and activities that increase opportunities for social interaction and recreation.

4. To encourage a mix of complimentary land uses that increase an activity centre's commercial variety without compromising its core commercial strengths.

4.1. Support and promote complimentary land uses that enhance variety without compromising core commercial strengths

5. To enhance and embrace the multi-cultural identity of the municipality, where relevant, primarily as reflected in the city's built form, signage and urban design.

5.1 Support the promotion of multi-cultural identity as reflected in the city's built form.

6. To encourage greater visitation to the activity centres.

6.1 Support activities and festivals that promote greater visitation to activity centres

7. To create positive social, cultural and economic perceptions of activity centres.

7.1 Support activities and festivals that promote greater visitation to activity centres

Under **Clause 21.07 – Infrastructure and Transportation** matters of: physical, community and cultural infrastructure; public transport; walking and cycling; cars and parking; and, transport services are covered.

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### **2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

Within Clause 21.07-2 where the matter of public transport is considered, the following relevant objective and strategies are noted:

*2. To integrate transport and land use.*

*2.1 Ensure residential, commercial and industrial development provides for safe and accessible pedestrian/bicycle movement to the public transport network.*

The objectives and strategies of Clause 21.07-3 which relate to the matter of walking and cycling should also be considered.

#### **Clause 22.10- Springvale Major Activity Centre**

This policy sets out land use and economic activity policy for the Springvale Activity Centre including (but not limited to) the following;

- *Reinforce the Activity Centre's role in encouraging a diverse mix of land uses that include retail, commercial, industrial and residential.*
- *Support future investment and encourage the development of strategic sites as identified in the Structure Plan to achieve a mix of residential and commercial uses.*
- *Support the retention of existing industrial and commercial areas for employment growth and the local economy.*
- ***Encourage and promote the night-time economy of the Activity Centre.***

Improve awareness and perceptions of the Activity Centre as a tourism destination and support Council and community festivals and events.

Encourage retail diversity that compliments the core retail function and minimise office uses at ground level.

#### **Clause 22.11 – Advertising Signs Policy**

Clause 22.11 – Advertising Signs Policy sets out the local expectations for signage within this municipality.

The objectives of this policy are:

- *To ensure that signs are designed, positioned and displayed in an appropriate and attractive manner.*
- *To encourage signs that make a positive contribution to both the day and night time character of activity centres.*
- *To improve the appearance of City gateways through the effective, sensitive display of signs and the avoidance of proliferation of signs and visual clutter.*

There is a number of more specific design outcomes sought under this policy. An assessment against these outcomes is provided at Tables at the end of this report.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Particular Provisions**

**Clause 52.05 – Advertising Signs**

The purpose of Clause 52.05 – Advertising Signs is:

- *To regulate the display of signs and associated structures.*
- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

Pursuant to Clause 52.05-8, a permit is required to display business identification signs exceeding 8 square metres or to display an above-verandah sign.

**Clause 52.06 – Car Parking** needs to be considered. The purposes of this provision are:

- *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 is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-1 notes that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

The required spaces are identified in the table to Clause 52.06-5. Clause 52.06-3 further notes that a permit may be granted to reduce or waive the number of car spaces required by the table, with the decision guidelines for such considerations also at that Clause.

The table at Clause 52.06-5 notes that a Place of Assembly 0.3 car parking spaces to each patron permitted.

**Clause 52.27 – Licensed Premises**

The purposes of this provision are:

- *To ensure that licensed premises are situated in appropriate locations.*
- *To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.*

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.

**Clause 52.34 - Bicycle Facility**

The purpose of this Clause is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Clause 52.34-1 states that a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Under Clause 52.34-2 states that a permit may be granted to vary, reduce or waive the requirements of Clause 52.34-3 and Clause 52.34-4. An application is exempt from the notice and decision requirements and appeal rights of some sections of the Act.

Under the table to Clause 52.34-3, a Place of Assembly requires 1 bicycle space to each 1500 square metres of net floor area and 2 plus 1 to each 1500 square metres of net floor area

As the area of the first floor is only 320 square metres, a bicycle space is not required.

**General Provisions**

Clause 65 – Decision Guidelines needs to be considered, as is the case with all applications. For this application the requirements of Clause 65.01 for the approval of an application or plan is of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.

**Proposed Planning Scheme Amendments**

There is no Planning Scheme Amendment relevant to this application.

**Restrictive Covenants**

The applicant has provided information to demonstrate that there are no restrictive covenants or restrictions restricting or prohibiting the proposal.



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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. In accordance with the commitment in Council's Annual Plan, all applications are considered on their merits.

**Diversity (Access & Equity)**

It is not considered that the proposal raises any diversity issues affecting the planning assessment of this application.

**Community Safety**

It is considered that there would be no adverse community safety implications in permitting the proposal subject to strict conditions on any planning permit issued.

**Safe Design Guidelines**

Consideration of the relevant requirements of these Guidelines has been undertaken within the Assessment of this application.

**Referrals**

The application was externally referred to the following for their consideration (summarised):

<b>External Authority</b>	<b>Response</b>
Victoria Police (S52 comment)	No objection, no conditions
VCGLR (S52 comment non-mandatory referral)	No comment

**Internal**

The application was internally referred to the following Council Units for their consideration (summarised):

<b>Council Referrals</b>	<b>Response</b>
Transport Planning	No objection, no conditions
Building Department	No objection, no conditions
Community Services	No objection, subject to conditions

**Advertising**

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site facing Balmoral Avenue.



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### **2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

The notification has been carried out correctly.

Council has received zero (0) objections to date.

#### **Consultation**

A consultative meeting was not held as no objections were received, and the proposal does not relate to residential development.

#### **Assessment**

The proposed amendments have been assessed against the relevant provisions of the Greater Dandenong Planning Scheme, including the purpose and intent of the Commercial 1 Zone, the Planning Policy Framework, Local Planning Policy Framework and the particular provisions for car parking and liquor licencing.

Council officers find that the proposed amendment is acceptable and would not result in any further impact to the amenity of adjoining or surrounding land.

An assessment of the proposed amendments is provided below:

#### **Assessment of increase in patron number on the provision of car parking.**

The proposal is to increase patron numbers and subsequently include a reduction of car parking in the permit preamble.

The original permit issued allowed 36 patrons. At the time, this required 10 spaces under the requirements of the Planning Scheme but did not require a permit for a reduction in car parking given it was less than the existing 12 space dispensation for the site, stemming from its construction as a shop in the 1960s with no on site car parking spaces.

The current proposal for 110 patrons requires 33 car parking spaces. No car parking spaces are provided on the site (with the exception of the 6 public on street car spaces along Balmoral Avenue which partly protrude into the subject site). Therefore, the application proposes a full reduction of the required 33 car parking spaces.

The reduction in car parking is considered appropriate for the following reasons:

The site is located in close proximity to a number of public transport options, including the Springvale Train Station (within 100 metres), bus routes and taxi pick up points.

- The site is located within the Springvale Activity Centre where there is a varied demand of car parking spaces over time. Many shops within the Activity Centre close at 5pm and the application proposes an opening time of 6pm.
- There are in-excess of 175 on-street car parking spaces within easy walking distance of the site, with traffic surveys showing that many of these are available in the evenings when this use operates.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

- The applicant has provided an empirical assessment for a similar business, where it was found that only 20% of patrons attending the site generated a car parking demand.
- It is likely that patrons of the Karaoke bar would make multi-purpose trips within the Springvale Activity Centre, as the site is in close proximity to a number of restaurants and other entertainment venues.
- The site is in close proximity to the Djerring Trail, a major cycling route connecting Dandenong through to Caulfield.
- There is a public multideck car park within close proximity (50 metres) to the subject site.

The application was also referred to Council's Transport Department, who had no objection to the full reduction in carparking due to the location of the use within the commercial core of Springvale.

**Assessment of the amendments to the layout of the building.**

The amendments to the layout of the building (deletion of the storerooms and construction of 4 new Karaoke rooms) do not require a planning permit and as such are inconsequential. No changes are proposed to the exterior of the building.

**Assessment of increase in hours, increase in patron numbers and increase in red line area in relation to the liquor licence impact on the amenity of the area.**

The site is within the Springvale Activity Centre, where night-time activities are encouraged by local policy. The increase in patron numbers and increase in hours of operation will support the use of the land for night time activities by ensuring the ongoing viability for the business. It is noted that the site is immediately adjacent to residential apartments above ground floor level on the southern side of Balmoral Avenue, therefore the impact of noise on the amenity of the area must be considered.

Condition 3 on permit PLN16/0567 requires the submission of an acoustic report, prepared by a suitably qualified acoustic engineer, to ensure the use operates in accordance with relevant State Environment Protection Policies. Whilst the applicant has submitted a letter from an acoustic consultant outlining that the proposed additional karaoke rooms are to be constructed with appropriate acoustic insulation to ensure that the additional rooms do not add to the noise emitted from the existing Karaoke operation the letter is not considered to meet the requirements of Condition 3.

In addition, since planning permit PLN16/0567 was issued, there have been a number of changes to the Environment Protection Act. Under the new legislation, noise levels must not exceed the permissible noise levels stipulated in the Environment Protection Regulations 2021 for Residential Premises, Commercial, Industrial and Trade Premises and Entertainment Venues and Outdoor Entertainment Events.

Therefore, it is considered appropriate to amend those permit conditions referring to the Acoustic Report and outdated legislation. This includes Condition 3.3 and Condition 13. In order for Council officers to be satisfied that the amended reports are to Council's satisfaction Condition 3 can also be amended to require the acoustic report to be submitted prior to endorsement of plans under this amended permit. This is to ensure that the proposed internal alterations, increase in patron numbers and increase in hours of operation meet relevant and current state regulations for permissible noise levels in entertainment venues.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

Overall, it is considered that the implementation of the Acoustic Report required by Condition 3 would be sufficient to ensure the proposed amendments do not unreasonably impact on the amenity of the area through noise.

The applicant has also provided an Alcohol Management Plan to enhance safety, amenity, health and wellbeing through management of alcohol provision and seeks to ensure activities within the venue do not cause excessive/unreasonable disturbance to neighbouring properties with regards to noise, light and/or unruly behaviour. It is noted that the Alcohol Management Plan contains some errors, conflicting information and references to outdated legislation. Therefore, Condition 1 can be amended to require submission of an amended Alcohol Management Plan to be submitted prior to the endorsement of the plans to ensure service of Alcohol is appropriately managed.

In accordance with DPCP Practice Note 61 "Licenced Premises: Assessment Cumulative Impact", a cumulative impact assessment is required if both the clustering and hours of operation tests are met, specifically, if the premises trades after 11pm, and in an area where there is a 'cluster' of licenced premises.

As defined within DPCP Practice Note 61, a 'cluster' occurs where there are:

- Three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or
- 15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land.

There is a cluster of liquor licensed venues within 500m of the proposed venue with numerous BYO licenced premises, packaged liquor premises and restaurants/cafes with on premise licences.

Nine of these venues classified as high-risk, ie, either late-night trading beyond 11pm and 1am, and packaged liquor outlets.

The following is an assessment in considering the cumulative impact:

- Planning policy context

The Springvale Activity Centre Local Policy places the subject site within the Springvale Activity Centre. One of the policy objectives at Clause 22.10-2 is to strengthen and diversify the role of the Asian Food Precinct and promote a 'night-time' economy. The existing use of the land for a Karaoke bar is in line with the intent of this policy and it is considered that the proposed amendments to the hours of operation, patron numbers and red line area will support the ongoing use.

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### **2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

- Surrounding land use mix and amenity

The subject site is mainly surrounded by commercial and office uses. It is noted that there are residential apartments on the southern side of Balmoral Avenue, located at first and second floor level, however, given the location within Springvale Activity Centre and the recommended conditions of permit that address amenity matters, it is not considered that the proposal will generate amenity impacts beyond what is considered reasonable for the area.

- The mix of licenced premises

The surrounding licenced premises include a mix of restaurants and packaged liquor.

- Transport and dispersal

Patrons leaving the premises are not likely to pass through residentially zoned areas as the site is located within Springvale Activity Centre. The Springvale train station and likely taxi and car pick up points would not require patrons to pass through residential areas.

- Impact mitigation

Toilets are provided within the building. An Alcohol Management Plan has been submitted which details the house policy for the responsible service of alcohol including prohibiting the selling of alcohol to intoxicated persons and minors.

While it is acknowledged that the proposal will contribute to the cumulative impact of licenced premises in the area, this impact is not considered to be unreasonable given the local planning policy at Clause 22.10 which encourages a 'night time' economy in the Asian Food Precinct, and the fact that this site is located within an Activity Centre.

The proposal will offer economic benefits and consumer choice within the area and support its ongoing viability, enabling an enhanced vitality of the area for uses operating after normal business hours. Conditions limiting the proposed hours of operation and implementation of mitigation measures outlined in the Alcohol Management Plan and Acoustic Report are considered to be appropriate in mitigating any adverse amenity impacts resulting from the cumulative impact of licenced premises in the area.

#### **Other matters**

Planning permit PLN16/0567 included a condition (2.7) that the Alcohol Management Plan was required to be amended to include the red line area, with a statement that alcohol is not to be consumed beyond the red line area or taken away from the premises. It is considered that this should form a separate permit condition so it can be enforced by Council.

#### **Conclusion**

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the State and Local Planning Policy Framework, Municipal Strategic Statement, zones, overlays and Clause 65.

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

Overall it is considered that the proposed amendments are appropriate having regard to the site's location within the Springvale Activity Centre.

The following amendments to the permit are recommended (and are shown in red in the recommendation below):

- Amend the preamble to include 'reduction in the car parking requirements'.
- Amend condition 1 to require changes to the AMP and submission of the acoustic report.
- Delete condition 2, and replace with the word 'deleted'.
- Amend condition 3.3 to refer to current legislation.
- Add condition 4 and renumber subsequent conditions.
- Add condition 7 and renumber subsequent conditions.
- Amend condition 9 (previously condition 7) to allow amended hours of operation
- Amend condition 10 (previously condition 8) to allow amended hours for the sale and consumption of liquor
- Amend condition 12 (previously condition 10) to allow an increase in patron numbers
- Amend condition 15 (previously condition 13) to refer to current legislation.
- Amend the endorsed plans and documents (once conditions 1 and 2 have been fulfilled).

The following table is to be inserted in the amended permit:

Date amended:	Brief description of amendments
[insert date of approval]	Amended permit preamble pursuant to Section 72 of the Planning and Environment Act 1987
	Amended permit conditions pursuant to Section 72 of the Planning and Environment Act 1987
	Amended endorsed plans pursuant to Section 72 of the Planning and Environment Act 1987

**Recommendation**

**That Council resolves to Grant an amendment to a planning permit in respect of the land known and described as 1-2/1-3 Balmoral Avenue, Springvale, for the purpose of development and use of the site for the purposes of a Place of Assembly with an on-premises licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans.**

**For ease of reference, this permit is to be renumbered to PLA21/0619 with plans being endorsed to form part of this permit. The initial permit is to be superseded pursuant to Section 74 of the Planning and Environment Act 1987.**

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

- 1. Before any changes approved under this amended permit (PLA21/0619) commence, amended plans, must be submitted to the Responsible Authority for approval. Once approved, the amended plans will be endorsed and form part of this permit. The amended plans must be in generally in accordance with the plans submitted with the application but modified to show:**
  - 1.1. A revised Alcohol Management Plan to show the following:**
    - 1.1.1 Reference to current Environment Protection Regulations for noise and reference to any required noise control measures identified in the acoustic report required by condition 3 below.**
    - 1.1.2 Correctly identifying the details of the provision of music associated with a Karaoke Bar.**
    - 1.1.3 Deletion of reference to the beer garden.**
    - 1.1.4 The complaints handling process amended to include implementation of a complaints register to be kept at the premises and made available to City of Greater Dandenong or Victoria Police upon request. The register must include details of the complaint received (who, when, where, what), any action taken and the response provided to the complainant.**
  - 1.2. An acoustic report to meet the requirements of condition 3.**
  - 1.3. A Patron Management Plan to meet the requirements of condition 4.**

**All to the satisfaction of the responsible authority.**
- 2. Deleted.**
- 3. Prior to the endorsement of plans under condition 1 and before any changes approved under this amended permit (PLA21/0619) commence, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority for approval. When approved, the report will be endorsed and will then form part of the permit. The report must:**
  - 3.1 Identify all potential noise sources associated with the subject premises that will impact on adjoining or surrounding noise sensitive premises, having regard to the maximum operating conditions;**
  - 3.2 Identify all potential noise sources associated with nearby industrial / commercial/ public transport premises that will impact on the subject premises, having regard to the maximum operating conditions of those premises;**
  - 3.3 Provide details of all noise control measures to be incorporated into the development required to achieve compliance with relevant Environment Protection Regulations 2021.**

**Once approved, the site must be constructed and used in accordance with the recommendations of the endorsed acoustic report to the satisfaction of the Responsible Authority.**
- 4. Prior to the endorsement of plans under Condition 1 and before any changes approved under this amended permit (PLA21/0619) commence, a patron management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The patron management plan must be prepared by a person with suitable qualifications to the satisfaction of the Responsible Authority and must detail how the licensed venue will operate to ensure any impacts on the surrounding residential uses will be managed, including but not limited to:**



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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

- 4.1 Details of proposed management of the licensed venue including emergency procedure management plan, crowd control, responsible serving of alcohol and external areas;
- 4.2 Staffing and security arrangements for the licensed venue including staffing/security to manage patron numbers and behaviour;
- 4.3 Staffing and other measures that are designed to ensure the orderly arrival and departure of patrons;
- 4.4 Signage to be used to encourage responsible off-site patron behaviour;
- 4.5 Training of staff in the management of patron behaviour;
- 4.6 Measures to manage queuing patrons;
- 4.7 Identification of all noise sources associated with the licensed venue (including, but not limited to, music noise, external areas, queuing lines, entries and exits and courtyards);
- 4.8 Identification of noise sensitive areas including residential uses and accommodation in close proximity to the land;
- 4.9 Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures;
- 4.10 Procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an authorised officer of the Responsible Authority or an officer of the liquor licensing authority;
- 4.11 Details of any measures to work with neighbours and other residents to address complaints and general operational issues; and
- 4.12 Any other measures to be undertaken to ensure minimal amenity impacts.

When approved, the patron management plan will be endorsed and will form part of this permit. Except with the prior written consent of the Responsible Authority, the patron management plan must not be modified.

The provisions, recommendations and requirements of the endorsed patron management plan must be implemented and complied with to the satisfaction the Responsible Authority.

5. The layout of the site, and the size of the proposed buildings and works as shown on the endorsed plan, shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or Local Law or for any other reason) without the prior consent of the Responsible Authority.
6. The permitted use must not commence and the subject site must not be occupied for that use until the conditions of this permit have been complied with, unless with the further written consent of the Responsible Authority.
7. Liquor must only be consumed within the licensed area, as defined by the red line on the endorsed plan/s.
8. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
9. The use, may operate only between the following hours:
  - Sunday to Thursday: 6pm to 1am the following day
  - Friday and Saturday: 6pm to 1am the following day

Unless with the further written consent of the Responsible Authority.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

10. The only Liquor Licence which may be applied for shall be an On-Premises Licence and the times for the consumption of alcohol shall be restricted to the following hours:
  - Sunday to Thursday: 6pm to 1am the following day
  - Friday and Saturday: 6pm to 1am the following dayUnless with the further written consent of the Responsible Authority.
11. Goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside the building/s, without the further written consent of the Responsible Authority.
12. Without the written permission of the Responsible Authority, no more than one hundred and ten (110) patrons shall be permitted on the site at any time.
13. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:
  - 13.1. Transport of materials, goods or commodities to or from the land.
  - 13.2. Appearance of any building, works or materials,
  - 13.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,
  - 13.4. Adverse behaviour of patrons on, to or from the premises,All to the satisfaction of the Responsible Authority.
14. The use must comply with the endorsed Site Management Plan at all times.
15. Noise levels must not exceed the permissible noise levels stipulated in part 5.3 Noise, of the Environment Protection Regulation 2021 for Residential Premises, Commercial, Industrial and Trade Premises and Entertainment Venues and Outdoor Entertainment Events.
16. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and smell must not be emitted from any such receptacle.
17. All wastes must be disposed of to the satisfaction of the Responsible Authority and no liquid waste or polluted waters shall be discharged into a sewer or stormwater drainage system.
18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
19. No gaming machines shall be installed on the premises at any time.
20. At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring the the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager').

The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such officer.

21. No sexually explicit entertainment must be carried out on the site, all to the satisfaction of the Responsible Authority.



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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

22. The roller shutters to the first floor windows facing Balmoral Avenue must remain open during the day and must be shut from 8pm until the closing of each day, unless the approve acoustic report requires as alternative outcome. If this occurs, the requirements of the acoustic report are to take precedents.
23. The location, type and dimensions of the signage including those of the supporting structure, as shown on the endorsed plan/s must not be altered unless with the consent of the Responsible Authority.
24. The signage must not be animated and no flashing or intermittent light/s shall be displayed.
25. The signage must not be illuminated by external or internal lighting.
26. No bunting, streamers and festooning shall be displayed.
27. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.
28. The signage hereby approved will expire ten (10) years after the date of this permit.
29. This permit will expire if:
  - 29.1 The development or any stage of it does not start within two (2) years of the date of this permit, or
  - 29.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or
  - 29.3 The use does not start within one (1) year of the completion of the development, or
  - 29.4 The use is discontinued for a period of two (2) years.  
Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.  
  
The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:
    - (a) the request for the extension is made within twelve (12) months after the permit expires; and
    - (b) the development or stage started lawfully before the permit expired.

**NOTES**

1. A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
2. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Environmental Health Officer before occupation.
3. Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**Prior to the erection of any advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls.**

- 4. An application will be made to the Victorian Civil and Administrative Tribunal to cancel the permit if the operator, manager or patrons are found guilty of committing any of the following offences in or associated with the use of the land:**
  - 4.1. Allowing the consumption of alcohol on the premises contrary to the Liquor Control Reform Act 1998 (or subsequent replacement Act); or**
  - 4.2. An offence for gambling contrary to the Lotteries, Gaming and Betting Act 1966 (or subsequent replacement act); or**
  - 4.3. For allowing the use or sale of drugs on the premises pursuant to the Drugs, Poisons and Controlled Substances Act 1981 (or subsequent replacement Act).**

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 1-2/1-3 BALMORAL AVENUE,  
SPRINGVALE (PLANNING APPLICATION NO. PLA21/0619)**

**ATTACHMENT 1**

**ASSESSED PLANS AND ALCOHOL  
MANAGEMENT PLAN**

**PAGES 4 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**MDM Karaoke – Alcohol Management Plan**

MDM Karaoke is a medium neighbourhood bar which is a popular meeting place for online dating.

The Bar has been operating for 4-5 years and operated by the Victorian Commission for Gaming and Liquor Licensing.

**a. Hours of operation**

On any day from 6.00pm to 1:00am the following day

**b. Details of the provision of music**

No live amplified music, background music only. Speakers in each room are driven by one domestic amplifier which plays music into the room until closing. No DJs perform in the Bar.

**c. Security arrangements including hours of operation and management to minimise queues outside the venue**

No dedicated security is required pursuant to the liquor licence or the planning permit. If there is a queue, the Bar Manager or Night Manager will monitor the queue to ensure the footpath is not blocked and encourage patrons to go elsewhere if the Bar is at capacity.

**d. Training of staff in the management of patron behaviour**

Alcohol is only served in accordance with the Liquor Licence and the safety and wellbeing of patrons is the priority. Management undertakes induction of new staff including patron behaviour management and explanation of the following policies:

- i. All staff involved in the service of alcohol will be required to undergo Responsible Serving of Alcohol (RSA) training and accreditation before they will be considered for employment.
- ii. All staff must ensure their RSA qualifications are up to date.
- iii. A copy of the current RSA certificate will be filed in the RSA Register.
- iv. Bar staff do not consume alcohol when on duty.
- v. The Bar does not encourage excessive or rapid consumption of alcohol.
- vi. When serving non pre-packaged alcohol, standard drink measures will be served at all times.
- vii. Drunk patrons will not be permitted to enter the premises.
- viii. Alcohol will not be served to any person who is intoxicated or drunk.
- ix. Bar staff will follow RSA training procedures when refusing service, including offering a non-alcoholic drink as a substitute.
- x. Drunk patrons will be asked to leave the premises (after appropriate safe transport options are offered, including asking their friends to take them home).
- xi. Tap water is provided free of charge.
- xii. The Bar does not have happy hours or other promotions involving discounted alcohol.

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### 2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)

xiii. When there is poor behaviour by patrons, the Bar Manager or Night Manager will speak to the person and ask them to behave appropriately and if they do not comply, ask them to leave.

**e. A complaint handling process**

Complaints can be made in person or online and Bar management monitor and address issues raised via social media. In person complaints are referred to the Bar Manager. The Bar Manager will investigate, assess and respond to any complaints. Investigation may include review of CCTV footage and interviews with relevant staff, as necessary.

**f. Management of patrons who are smoking**

Smoking is prohibited inside and permitted in outdoor areas. Patrons are discouraged from smoking in public areas outside of the red line area.

**g. General rubbish storage and removal arrangements, including hours of pick up**

General rubbish is deposited in the receptacles in the afternoon before opening and these are stored in the lane at the rear of the premises, with permission of the owner of the lane. General rubbish is collected by Council contractors on Tuesday mornings between 9am and 10am.

**h. Bottle storage and removal arrangements including hours of pickup**

Empty bottles for recycling are deposited in the wheelie bins in the afternoon before opening and these are stored in in the lane at the rear of the premises, with permission of the owner of the lane. Recycling is collected by Council contractors on Tuesday mornings between 9am and 10am.

**i. Noise attenuation measures including the use of noise limiters, if applicable**

Amplified noise is limited to background music throughout the premises. There are no outdoor speakers at the front of the Bar (Balmoral Avenue).

The level of noise emitted from the Bar shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

The Bar is not a music or dancing venue and has operated for approximately 4 -5 years primarily as a meeting place for conversation. Staff are directed to ensure that the volume of music does not exceed the volume of conversation.

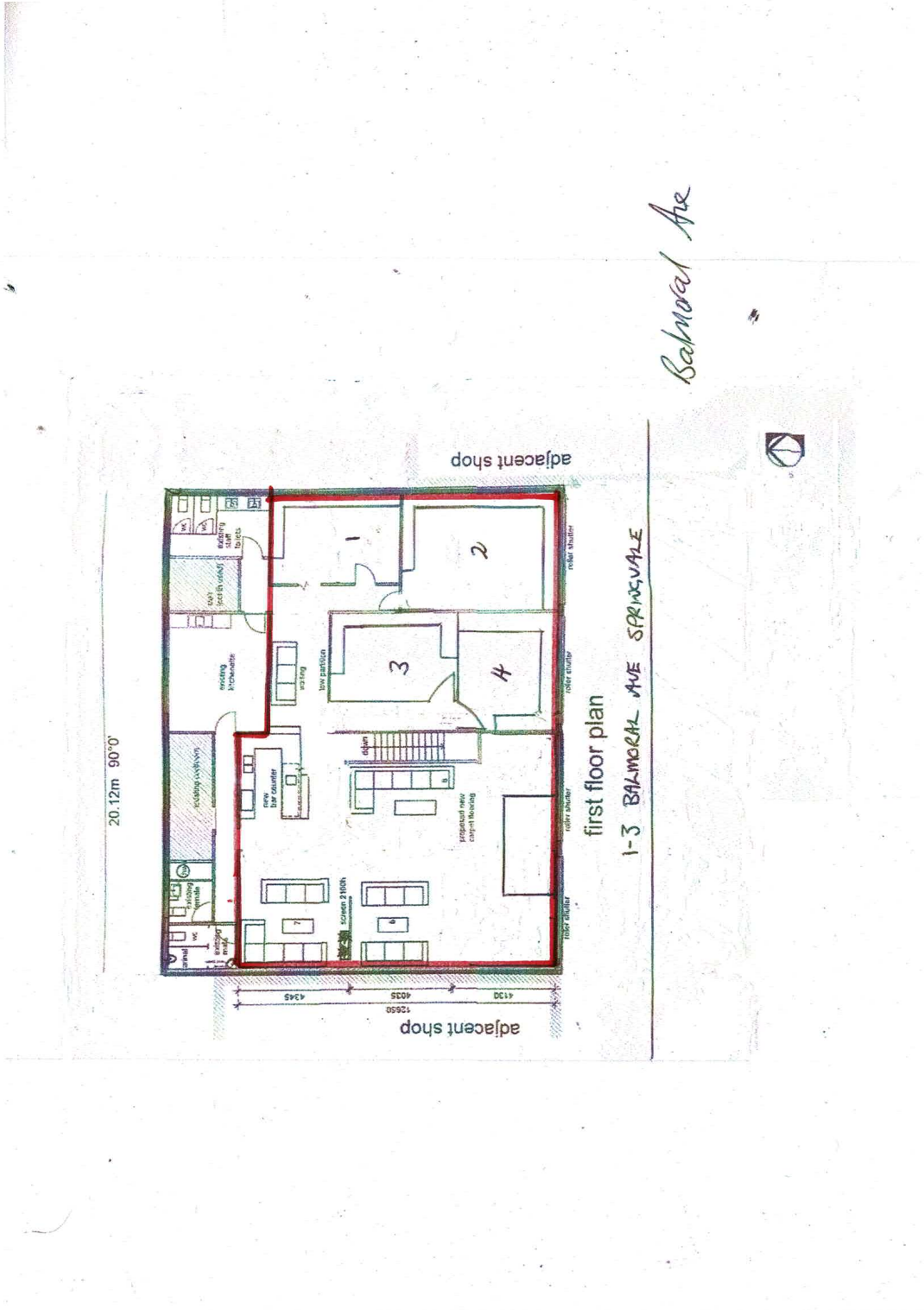
**j. Management of any outdoor areas to minimise impacts to the amenity of nearby properties**

There are no outdoor areas (footpath, parklet and beer garden) is there is no expectation of any impact on neighbours. There is signage instructing patrons to leave quietly. Staff also instruct patrons to leave quietly.

**k. Electronic security measures to be used including but not limited to lighting and surveillance equipment**

The Bar has CCTV cameras in each room and the beer garden which can be viewed from the main bar and accessed by management remotely. The front of the Bar is adequately lit.

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**



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**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 1-2/1-3 BALMORAL AVENUE,  
SPRINGVALE (PLANNING APPLICATION NO. PLA21/0619)**

**ATTACHMENT 2**

**ORIGINAL PERMIT AND ENDORSED PLANS**

**PAGES 10 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**PLANNING  
PERMIT**

**Permit No:** PLN16/0567  
**Planning Scheme:** Greater Dandenong  
Planning Scheme  
**Responsible Authority :** Greater Dandenong  
City Council

**ADDRESS OF THE LAND:** First Floor Suite 1-2/1-3 Balmoral Avenue  
SPRINGVALE VIC 3171  
(Lot 1 TP 707399)

**THE PERMIT ALLOWS:** Development and use of the site for the purposes of  
a Place of Assembly with an on-premises licence and  
display of business identification signage

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. Before the development starts, two (2) copies of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application but modified to show:
  - 1.1. A red line plan that excludes the store room.  
All to the satisfaction of the responsible authority.
2. Before the use start, an updated Alcohol Management Plan must be submitted to the Responsible Authority for approval that demonstrates the application of alcohol harm reduction strategies to mitigate compliance, behaviour and amenity risks through policies and procedures for:
  - 2.1 Managerial and staff roles and responsibilities.
  - 2.2 Managing minors on the premises and prevent underage drinking
  - 2.3 Addressing patron intoxication, anti-social behaviour, and refusal of service.
  - 2.4 Ensuring amenity, safety and security for patrons and staff.
  - 2.5 Safe transport from the premises (eg, intoxicated patrons deemed over 0.05).
  - 2.6 House policies outlining how the premises is managed and statutory posters.
  - 2.7 The Redline area, with a statement that alcohol is not to be consumed beyond the Redline or taken away from the venue.
  - 2.8 That the safety and amenity of passing pedestrians surrounding areas and residents is to be respected upon leaving the premises.
  - 2.9 Demonstrate how they will mitigate noise emissions from the premises to not impact on the amenity of surrounding commercial and residential properties.All to the satisfaction of the Responsible Authority.

Continued...

Date Issued 13 September 2017 Signature for and on behalf  
of the Responsible Authority 



**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

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**PLANNING PERMIT NO. PLN16/0567**

Conditions Continued

3. Prior to the operation of the use hereby approved, two (2) copies of an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority for approval. When approved, the report will be endorsed and will then form part of the permit. The report must:
  - 3.1 Identify all potential noise sources associated with the subject premises that will impact on adjoining or surrounding noise sensitive premises, having regard to the maximum operating conditions;
  - 3.2 Identify all potential noise sources associated with nearby industrial / commercial/ public transport premises that will impact on the subject premises, having regard to the maximum operating conditions of those premises;
  - 3.3 Provide details of all noise control measures to be incorporated into the development required to achieve compliance with relevant State Environment Protection Policies.Once approved, the site must be constructed and used in accordance with the recommendations of the endorsed acoustic report to the satisfaction of the Responsible Authority.
4. The layout of the site, and the size of the proposed buildings and works as shown on the endorsed plan, shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or Local Law or for any other reason) without the prior consent of the Responsible Authority.
5. The permitted use must not commence and the subject site must not be occupied for that use until the conditions of this permit have been complied with, unless with the further written consent of the Responsible Authority.
6. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
7. The use, may operate only between the following hours:
  - Sunday to Thursday: 9am to 11pm
  - Friday and Saturday: 9am to 12midnightUnless with the further written consent of the Responsible Authority.
8. The only Liquor Licence which may be applied for shall be an On-Premises Licence and the times for the consumption of alcohol shall be restricted to the following hours:
  - Sunday to Thursday: 6pm to 11pm
  - Friday and Saturday: 6pm to 12midnightUnless with the further written consent of the Responsible Authority.
9. Goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside the building/s, without the further written consent of the Responsible Authority.

Continued...

Date Issued 13 September 2017 Signature for and on behalf  
of the Responsible Authority 

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

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**PLANNING PERMIT NO. PLN16/0567**

Conditions Continued

10. Without the written permission of the Responsible Authority, no more than thirty-six (36) patrons shall be permitted on the site at any time.
11. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:
  - 11.1 Transport of materials, goods or commodities to or from the land.
  - 11.2 Appearance of any building, works or materials,
  - 11.3 Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,
  - 11.4 Adverse behaviour of patrons on, to or from the premises,All to the satisfaction of the Responsible Authority.
12. The use must comply with the endorsed Site Management Plan at all times.
13. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the Environment Protection Policy N-2 Control of Music Noise From Public Places.
14. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and smell must not be emitted from any such receptacle.
15. All wastes must be disposed of to the satisfaction of the Responsible Authority and no liquid waste or polluted waters shall be discharged into a sewer or stormwater drainage system.
16. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
17. No gaming machines shall be installed on the premises at any time.
18. At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring the the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager').

The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such officer.
19. No sexually explicit entertainment must be carry out on the site, all to the satisfaction of the Responsible Authority.
20. The roller shutters to the first floor windows facing Balmoral Avenue must remain open during the day and must be shut from 8pm until the closing of each day, unless the approve acoustic report requires as alternative outcome. If this occurs, the requirements of the acoustic report are to take precedents.

Continued...

Date Issued 13 September 2017 Signature for and on behalf  
of the Responsible Authority 



**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

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**PLANNING PERMIT NO. PLN16/0567**

Conditions Continued

21. The location, type and dimensions of the signage including those of the supporting structure, as shown on the endorsed plan/s must not be altered unless with the consent of the Responsible Authority.
22. The signage must not be animated and no flashing or intermittent light/s shall be displayed.
23. The signage must not be illuminated by external or internal lighting.
24. No bunting, streamers and festooning shall be displayed.
25. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.
26. The signage hereby approved will expire ten (10) years after the date of this permit.
27. This permit will expire if:
  - 27.1 The development or any stage of it does not start within two (2) years of the date of this permit, or
  - 27.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or
  - 27.3 The use does not start within one (1) year of the completion of the development, or
  - 27.4 The use is discontinued for a period of two (2) years.

Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:

- (a) the request for the extension is made within twelve (12) months after the permit expires; and
- (b) the development or stage started lawfully before the permit expired.

**NOTES**

1. A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
2. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Environmental Health Officer before occupation.
3. Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.

Prior to the erection of any advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls.

Continued...

Date Issued 13 September 2017 Signature for and on behalf  
of the Responsible Authority 

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

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**PLANNING PERMIT NO. PLN16/0567**

Conditions Continued

4. An application will be made to the Victorian Civil and Administrative Tribunal to cancel the permit if the operator, manager or patrons are found guilty of committing any of the following offences in or associated with the use of the land:-
  - 4.1 Allowing the consumption of alcohol on the premises contrary to the Liquor Control Reform Act 1998 (or subsequent replacement Act); or
  - 4.2 An offence for gambling contrary to the Lotteries, Gaming and Betting Act 1966 (or subsequent replacement act); or
  - 4.3 For allowing the use or sale of drugs on the premises pursuant to the Drugs, Poisons and Controlled Substances Act 1981 (or subsequent replacement Act).

End of Permit Conditions

Under Division 1A of Part 4 of the **Planning and Environment Act 1987** a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

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Date Issued 13 September 2017 Signature for and on behalf  
of the Responsible Authority 

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**

**IMPORTANT INFORMATION ABOUT THIS NOTICE**

**WHAT HAS BEEN DECIDED?**

The Responsible Authority has issued a permit.  
(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning and Environment Act 1987*.)

**WHEN DOES A PERMIT BEGIN?**

A permit operates:-  
\* from the date specified in the permit; or  
\* if no date is specified, from:-  
(i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or  
(ii) the date on which it was issued, in any other case.

**WHEN DOES A PERMIT EXPIRE?**

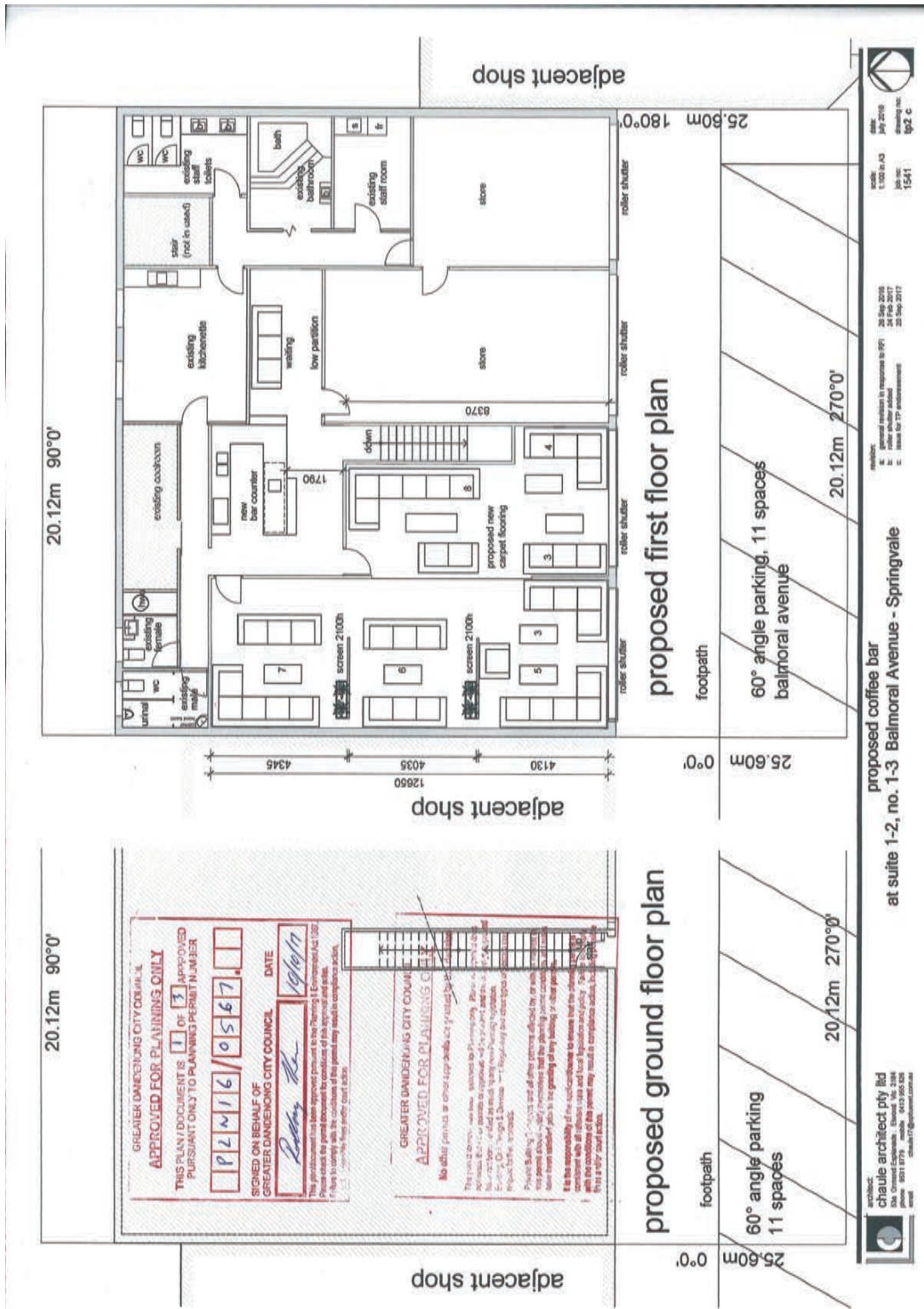
1. A permit for the development of land expires if:-  
\* the development or any stage of it does not start within the time specified in the permit; or  
\* the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or  
\* the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if:-  
\* the use does not start within the time specified in the permit, or if no time is specified, within two years of the issue of the permit; or  
\* the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if:-  
\* the development or any stage of it does not start within the time specified in the permit; or  
\* the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or  
\* the use does not start within the time specified in the permit, or if no time is specified, within two years after the completion of the development; or  
\* the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision -  
\* the use or development of any stage is to be taken to have started when the plan is certified; and  
\* the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

**WHAT ABOUT APPEALS?**

- \* The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such case, no right of review exists.
- \* An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- \* An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- \* An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- \* An application for review must state the ground upon which it is based.
- \* An application for review must also be served on the Responsible Authority.
- \* Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.



2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)



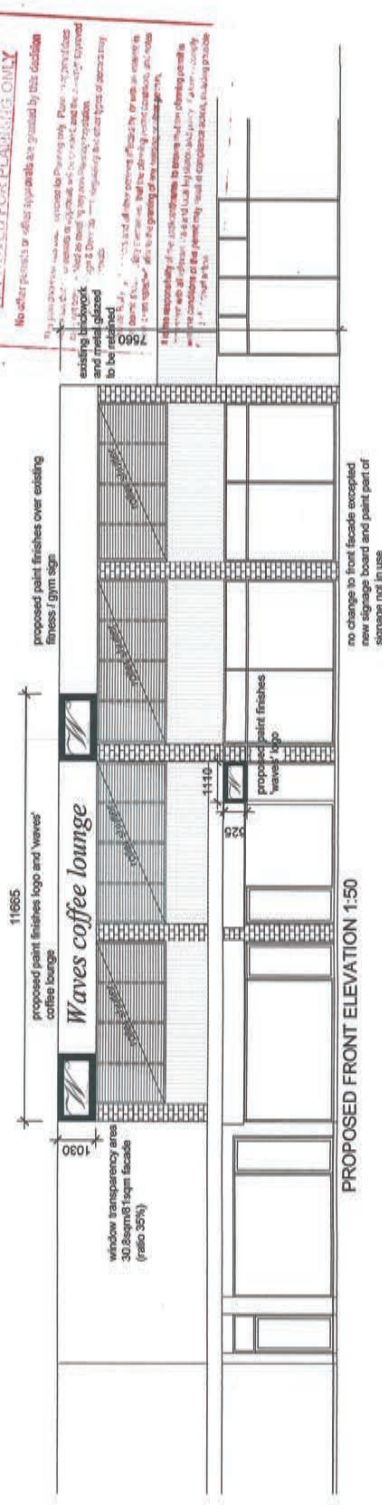
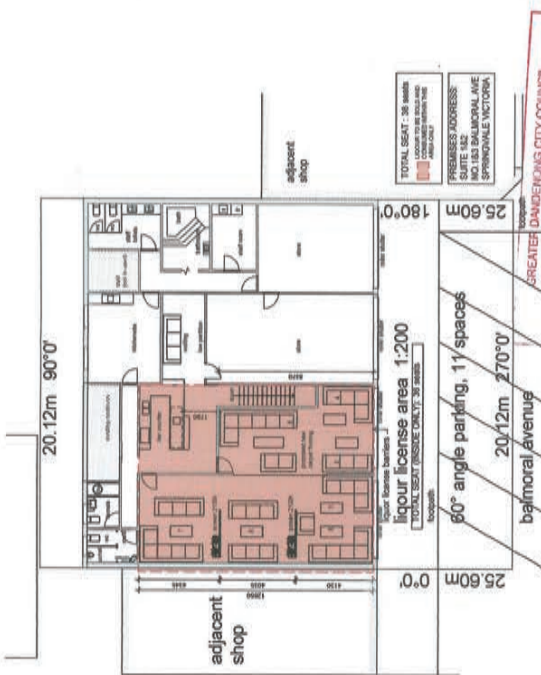
2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)

area analysis

- land area 515sqm
- building area 320sqm
- leasable area 200sqm
- parking requirement 7 car spaces
- car parking (3.5 car per 100sqm leasable area)
- 6 public car spaces
- 6 provided within site boundaries

Note: no change to floor area, car parking, or public car spaces has been approved pursuant to the Planning & Environment Act 1987. The permit does not allow for a change to the use of the land. The permit does not allow for a change to the use of the land. The permit does not allow for a change to the use of the land.

GREATER DANDENONG CITY COUNCIL  
**APPROVED FOR PLANNING ONLY**  
 THIS PLAN/DRAWING IS 2 OF 3 APPROVED  
 PURSUANT ONLY TO PLANNING PERMIT NUMBER  
 1216/0567  
 GREATER DANDENONG CITY COUNCIL  
 DATE 14/09/21



chaile architect pty ltd  
 phone 03 951 8779 mobile 0413 265 026  
 email chaileTT@chaile.com.au

PROPOSED FRONT ELEVATION 1:50

no change to front facade occupied signage not to use

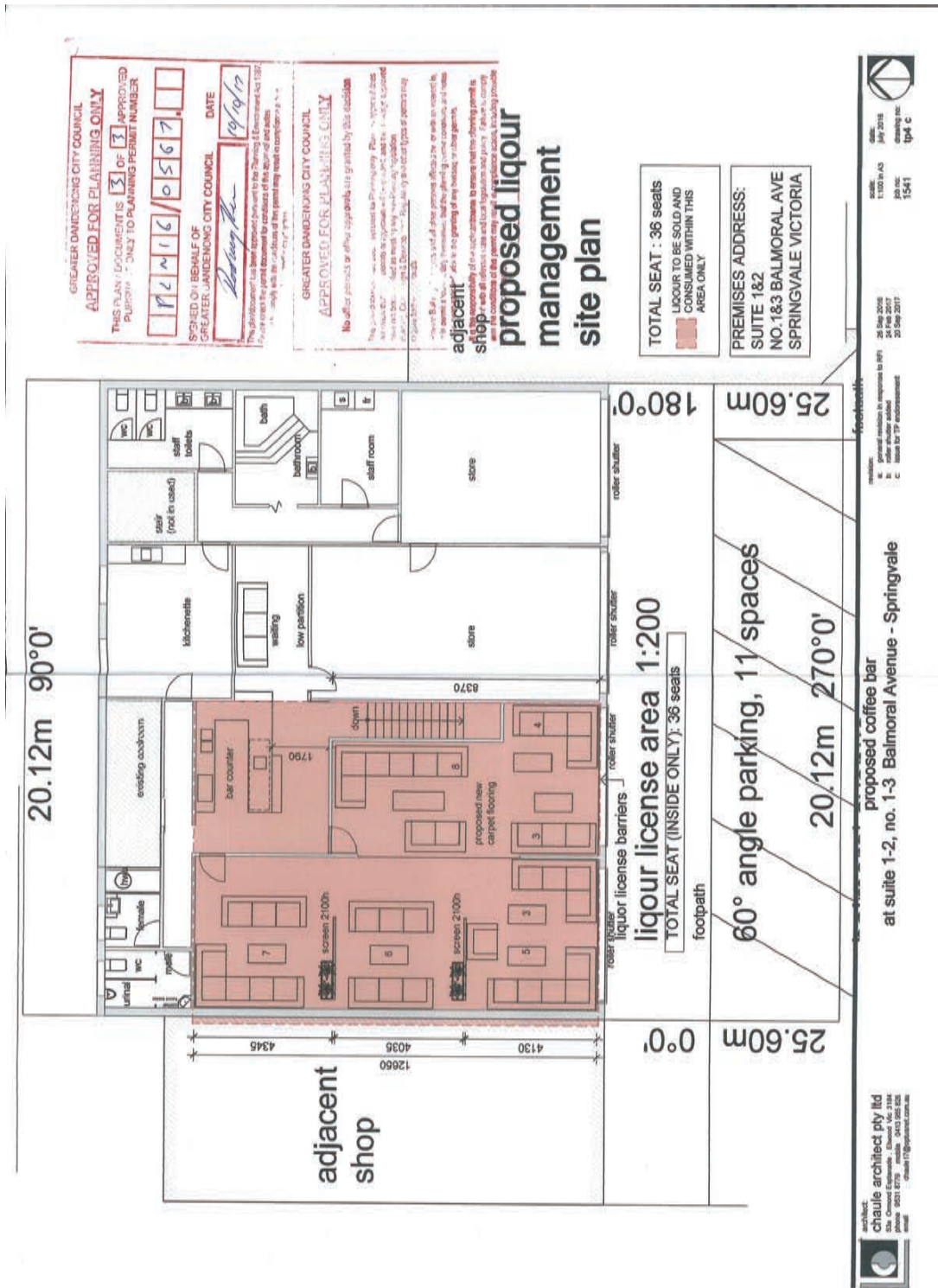
proposed paint finishes over existing fitness gym sign

proposed paint finishes 'waves' logo

proposed coffee bar at suite 1-2, no. 1-3 Balmoral Avenue - Springvale

DATE: 14 Jul 2021  
 DRAWN BY: CHAILE ARCHITECT PTY LTD  
 CHECKED BY: CHAILE ARCHITECT PTY LTD  
 SCALE: 1:50

**2.2.3 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application PLA21/0619) (Cont.)**





### 3 QUESTION TIME - PUBLIC

**Question Time at Council meetings provides an opportunity for members of the public in the gallery to address questions to the Councillors, Delegates and/or officers of the Greater Dandenong City Council. Questions must comply with s. 4.5.8 of Council's Governance Rules.**

#### QUESTIONS FROM THE GALLERY

Questions are limited to a maximum of three (3) questions per individual. Where time constraints deem it likely that not all questions can be answered within the time allowed for Question Time, the Mayor at his/her discretion may determine only the first question may be presented verbally with others deferred to be managed in the same manner as public questions not verbally presented. Priority will be given to questions that relate to items on the Council Agenda for that meeting. Questions including any preamble should not exceed 300 words.

b) All such questions must be received in writing on the prescribed form or as provided for on Council's website and at Ordinary meetings of Council. Where there are more than three (3) questions received from any one individual person, the Chief Executive Officer will determine the three (3) questions to be considered at the meeting.

c) All such questions must clearly note a request to verbally present the question and must be received by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer no later than:

- i) the commencement time (7.00pm) of the Ordinary meeting if questions are submitted in person; or
- ii) noon on the day of the Ordinary meeting if questions are submitted by electronic medium.

d) A question can only be presented to the meeting if the Chairperson and/or Chief Executive Officer has determined that the question:

- i) does not relate to a matter of the type described in section 3(1) of the *Local Government Act 2020* (confidential information);
- ii) does not relate to a matter in respect of which Council or a Delegated Committee has no power to act;
- iii) is not defamatory, indecent, abusive or objectionable in language or substance, and is not asked to embarrass a Councillor, Delegated Member or Council officer; and
- iv) is not repetitive of a question already asked or answered (whether at the same or an earlier meeting).

e) If the Chairperson and/or Chief Executive Officer has determined that the question may not be presented to the Council Meeting or Delegated Committee, then the Chairperson and/or Chief Executive Officer:

- i) must advise the Meeting accordingly; and
- ii) will make the question available to Councillors or Members upon request.

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**3 QUESTION TIME - PUBLIC (Cont.)**

- f) The Chairperson shall call on members of the gallery who have submitted an accepted question to ask their question verbally if they wish.
- g) The Chairperson, Chief Executive Officer or delegate may then direct that question to be answered by a nominated Councillor or member of Council staff.
- h) No debate on, or discussion of, a question or an answer will be permitted other than for the purposes of clarification.
- i) A Councillor, Delegated Committee Member or member of Council staff nominated to answer a question may:
- i) seek clarification of the question from the person who submitted it;
  - ii) seek the assistance of another person in answering the question; and
  - iii) defer answering the question, so that the answer may be researched and a written response be provided within ten (10) working days following the Meeting (the question thereby being taken on notice).
- j) Question time for verbal presentations is limited in duration to not more than twenty (20) minutes. If it appears likely that this time is to be exceeded then a resolution from Council will be required to extend that time if it is deemed appropriate to complete this item.
- k) The text of each question asked and the response will be recorded in the minutes of the Meeting.

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## 4 OFFICERS' REPORTS - PART TWO

### 4.1 OTHER

#### 4.1.1 Community Partnerships Funding and Sponsorship Grants

File Id:	A8714980
Responsible Officer:	Director Community Services
Attachments:	Building-Capacity Grants 2022 Strategic Project Grants 2022 Sponsorships 2022

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#### 1. Report Summary

Council provides fit-for-purpose funding programs that support capacity-building of important local services, support the delivery of projects that help achieve Councils Plans and Strategies, and provide social and economic benefit to the City of Greater Dandenong.

This report outlines the assessment of applications submitted to three grant categories under the Community Partnership Funding and Sponsorship Program:

- Building Capacity Grants
- Strategic Project Grants
- Sponsorships.

All applications have been checked for eligibility by Council Officers and assessed by independent Community Grants Assessment Panels. The applications recommended for funding are presented in this report.

#### 2. Recommendation Summary

This report recommends that Council endorse the recommendations for Community Partnership Funding and Sponsorship Program as outlined in Attachments to this report.

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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

### **3. Background and Discussion**

On 25 March 2019 Council endorsed a principles-based Community Partnership Funding and Sponsorships Program. The program complies with the requirements of an external audit and was informed by significant community consultation.

The program contains three grant categories:

1. Building-Capacity Grants
2. Strategic Project Grants
3. Sponsorships.

The Community Partnership Funding and Sponsorships Program opened for applications from 31 January to 28 February 2022.

The round was widely publicised via Council e-newsletters, regular mailouts to past grant applicants, local newspapers, council community networks, and a series of stories that promoted successful projects to advertise the round on Council's social media channels.

Council officers conducted four information sessions to provide potential applicants information of the grants' categories and application process. Due to COVID-19 these were held online.

Interested organisations were provided access to Council officer support for one-on-one meetings in and out of regular office hours. Past applicants were also provided feedback on their previous applications to assist improved future applications. Applicants were also connected with relevant Council technical officers for specific advice on their proposals.

#### **3.1 Community Grants Assessment Panels**

Community Grants Assessment Panels included councillors, community representatives, and council officers with broad experience and diverse knowledge.

Panels members are governed by a Terms of Reference and a signed Code of Conduct. Each member has completed a grants induction process, with Council officers available to support throughout the process.

For each grant category eight individual panel members were tasked to complete an initial online assessment, and these assessment scores were then consolidated and presented to a scheduled panel meeting for qualitative discussion and final recommendations.

#### **3.2 Building-Capacity Grants**

This grant category offers one-off grants of up to \$50,000 per year for up to three years of funding to support locally based organisations to grow and/or become sustainable.

A total of four applications were submitted to the Building Capacity Grants category. Two applications were ruled ineligible due to not meeting eligibility criteria.

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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

This left a total of two applications to be assessed, seeking total funding of \$105,000 over three years.

The Community Grants Assessment Panel individually assessed applications online between 23 March – 5 April. The panel convened online to qualitatively discuss the consolidated applications and make final recommendations on 11 April 2022.

At the Councillor Briefing Session of 16 May 2022, Councillors reviewed the Community Grants Assessment Panel recommendations of funding. Following this it is recommended that 1 application be funded to a total amount of \$45,000 from financial year 2022-23 to 2024-25.

A list of the applications recommended for funding through the Building Capacity Grants category is provided in Attachment One.

#### **3.3 Strategic Project Grants**

This grant category offers grants of up to \$80,000 per year for up to two years of funding to support self-identified projects, initiatives and activities that contribute to achieving priorities and actions within the City of Greater Dandenong plans and strategies.

A total of 32 applications were submitted to Strategic Project Grants category seeking total funding of \$3,578,906 over two years. No applications were ruled ineligible or withdrawn.

The Community Grants Assessment Panel individually assessed applications online between 23 March – 11 April. The panel convened to qualitatively discuss the consolidated applications and make final recommendations on 12 April 2022.

At the Councillor Briefing Session of 16 May 2022, Councillors reviewed the Community Grants Assessment Panel recommendations for funding. Following this it is recommended that 20 applications be funded to a total amount of \$2,570,218 from financial year 2022-23 to 2023-24.

A list of all applications recommended for funding through the Strategic Project Grants category is provided in Attachment Two.

#### **3.4 Sponsorships**

Sponsorships offers grants of up to \$40,000 per year for up to two years of funding to support organisations and activities that create social and/or environmental benefit, and significantly contribute to the image of the city and/or create economic benefit.

A total of nine applications were submitted to the Sponsorships Program seeking total funding of \$450,190 over two years. No applications were ruled ineligible or withdrawn.

The Community Grants Assessment Panel individually assessed applications online between 23 March – 5 April. The panel convened to qualitatively discuss the consolidated applications and make final recommendations on 7 April 2022.

At the Councillor Briefing Session of 16 May 2022, Councillors reviewed the Community Grants Assessment Panel recommendations for funding. Following this it is recommended that nine applications be funded to a total amount of \$372,000 from financial year 2022-23 to 2023-24.

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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

A list of all applications recommended for funding through Sponsorships program is provided in Attachment Three.

### **4. Proposal**

It is proposed that Council endorse the recommendations as shown in Attachments One, Two and Three for funding through the following programs:

- Attachment One – Building-Capacity Grants 2022
- Attachment Two – Strategic Project Grants 2022
- Attachment Three – Sponsorships 2022.

For the Building-Capacity Grants 2022 there is one application recommended for funding for financial year 2022-23 to 2024-25 as listed in Attachment One.

For the Strategic Project Grants 2020 there are twenty applications recommended for funding for financial year 2022-23 to 2023-24 as listed in Attachment Two.

For the Sponsorships 2020 there are nine applications recommended for funding for financial year 2022-23 to 2023-24 as listed in Attachment Three.

### **5. Financial Implications**

The funding recommendations made in this report can be achieved within the budgetary parameters of the 2022-23 Community Partnership Funding Program and Sponsorships budgets.

The total available funding from the Community Partnerships Funding Budget for 2022-23 is \$1,405,771. A total of \$1,304,034 has been allocated from this budget, comprising:

- \$15,000 allocated to one Building Capacity Grant application
- \$1,289,034 allocated to 20 Strategic Project Grant applications.

This leaves an underspend of \$101,737 in the 2022-23 Community Partnerships Funding Budget.

The total available funding from the Sponsorships Budget for 2022-23 is \$217,602. A total of \$188,500 has been allocated from this budget, leaving an underspend of \$29,102.

Funding for the 2023-24 and 2024-25 financial years is incorporated into the Long Term Financial Strategy.

### **6. Consultation**

During the assessment process Council Officers consulted with staff from across the organisation to seek information and advice regarding the merits of all funding applications.

Officers conducted extensive eligibility checks of applications including compliance documentation, financial reports, past grants acquittal history and other matters where relevant.

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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

All eligible applications were assessed by Community Grants Assessment Panels. Panels included councillors, community representatives who submitted expressions of interest, and council officers with broad experience and diverse knowledge.

Community Grants Assessment Panel's recommendations of all eligible applications were presented at a Councillor Briefing Session on 16 May 2022 for consideration. Following this, the recommended funding allocations (attached) are presented for endorsement.

### **7. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*The City of Greater Dandenong is a home to all.  
It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **7.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community.
- Education, training, entrepreneurship and employment opportunities.
- Embrace diversity and multiculturalism.
- Mind, Body and Spirit.
- Art and Culture.

#### **7.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city.
- A city that respects and celebrates diversity, our history and the arts.
- A city of accessible, vibrant centres and neighbourhoods.
- A city that supports entrepreneurship, quality education and employment outcomes.
- A Council that demonstrates leadership and a commitment to investing in the community.



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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

### **8. The Overarching Governance Principles of the *Local Government Act 2020***

Applications to the Community Partnerships Funding and Sponsorship Programs were assessed by an independent Community Grants Assessment Panel including councillors, community representatives and council officers with broad experience and diverse knowledge.

Panel members assess grants against specific criteria for each grant category as listed in the grand guidelines. These criteria ensure grants align with Council's Community Vision and Council Plan. Qualitative discussion of applications ensured that Council funds are prudently allocated to deliver responsive outcomes at good value for the community.

The assessment process ensures that grants are assessed in compliance with overarching governance principles of the *Local Government Act 2020*.

### **9. Victorian Charter of Human Rights and Responsibilities**

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in the preparation of this report but is not relevant to its contents.

### **10. The Gender Equality Act 2020**

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

The Community Partnership Funding and Sponsorships Programs aim to deliver outcomes that align with Council's plans and strategies, improve non-profit capacity including board diversity, and deliver activities that are open and accessible for the entire community.

Grant Assessment Panels are formed with an aim to represent the diversity of the community.

### **11. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.



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#### **4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

The Community Partnership Funding and Sponsorship Programs explicitly encourages submission of applications that achieve environmental and sustainability outcomes.

### **12. Related Council Policies, Strategies or Frameworks**

- Council Plan 2021-25
- Imagine 2030 Community Plan
- Children's Plan 2021-26.
- Disability Action Plan 2017-23
- Community Safety Plan 2015-22
- Greater Dandenong People Seeking Asylum and Refugee Action Plan 2018-21
- Make Your Move Physical Activity Strategy 2020-2030
- Reconciliation Action Plan 2021-23
- Youth and Family Strategy 2021-26.

### **13. Conclusion**

This report contains the recommendations for funding to the Community Partnership Funding and Sponsorship Programs.

These recommendations are presented to Council for endorsement.

### **14. Recommendation**

**That Council endorses the funding recommendations as detailed in:**

- 1. Attachment One - Building Capacity Grants for allocation of a total of \$45,000 for the financial years 2022-23 to 2024-25;**
- 2. Attachment Two - Strategic Project Grants for allocation of a total of \$2,570,218 for the financial years 2022-23 to 2023-24; and**
- 3. Attachment Three - Sponsorships for allocation of a total of \$372,000 for the financial years 2022-23 to 2023-24.**

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**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**OTHER**

**COMMUNITY PARTNERSHIP FUNDING AND  
SPONSORSHIP GRANTS**

**ATTACHMENT 1**

**BUILDING-CAPACITY GRANTS 2022**

**PAGES 2 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

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**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**Building-Capacity Grants 2022**

Recommended Applications

Applicant Name	Project Title	Total Recommendation	2022/23	2023/24	2024/25
Forum on Australia's Islamic Relations Inc.	Good Governance Gets the Goose	<b>\$45,000</b>	\$15,000	\$15,000	\$15,000
<b>1 application</b>		<b>\$45,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

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**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**OTHER**

**COMMUNITY PARTNERSHIP FUNDING AND  
SPONSORSHIP GRANTS**

**ATTACHMENT 2**

**STRATEGIC PROJECT GRANTS  
2022**

**PAGES 3 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**Strategic Project Grants 2022**

Recommended Applications

Applicant Name	Project Title	Total Recommendation	2022/23	2023/24
Asylum Seeker Resource Centre	Refugee Resource Hub FoodBank and Community Kitchen	\$160,000	\$80,000	\$80,000
Concern Australia Welfare	Hand Brake Turn - A Vehicle for Change	\$160,000	\$80,000	\$80,000
Cornerstone Contact Centre Inc.	Community Connection Pathways for Migrants and Asylum Seekers	\$40,000	\$20,000	\$20,000
Friends of Refugees Inc	Job skills training and work experience for people seeking asylum	\$159,288	\$79,644	\$79,644
Friends of Refugees Inc	Centre of specialised learning and support for people seeking asylum	\$120,000	\$60,000	\$60,000
Keysborough Learning Centre	Re-connecting & Re-engaging Senior Communities post COVID	\$80,000	\$40,000	\$40,000
Noble Park Community Centre (NPCC)	Staying connected by removing barriers for People with Disabilities	\$60,000	\$30,000	\$30,000
Noble Park Community Centre Inc (NPCC)	Resource Development through empowering Vulnerable Communities to Volunteer	\$60,000	\$30,000	\$30,000
North Dandenong Neighbourhood House	Re-engaging Community with North Dandenong Neighbourhood House	\$155,000	\$80,000	\$75,000
Nourish DBC Ltd	The Nourish Sanctuary: A Safe Space for CALD Communities	\$60,000	\$30,000	\$30,000
SisterWorks Inc.	From Community Connectedness to Employment Pathways	\$160,000	\$80,000	\$80,000
South East Community Links	"Y-ACE project" - Youth: Active, Connected and Engaged	\$160,000	\$80,000	\$80,000
South East Community Youth Links	"Women: Safe and Equal" project	\$160,000	\$80,000	\$80,000
South East Volunteers	Disability Inclusive Volunteering	\$116,930	\$59,890	\$57,040

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

Applicant Name	Project Title	Total Recommendation	2022/23	2023/24
South-east Monash Legal Service	Mothers Legal Help	\$160,000	\$80,000	\$80,000
Springvale Learning and Activities Centre Inc	Building up youth participation in programs and governance	\$160,000	\$80,000	\$80,000
Springvale Learning and Activities Centre Inc	Styling Up the Confidence - providing work clothing, interview preparation.	\$160,000	\$80,000	\$80,000
Springvale Neighbourhood House	Returning to Community: culturally safe, accessible & supportive services	\$143,000	\$71,500	\$71,500
Springvale Neighbourhood House	Making Getting Connected Easier for Socially-Isolated Residents across Greater Dandenong	\$136,000	\$68,000	\$68,000
Wellsprings for Women	Pathways to Recovery	\$160,000	\$80,000	\$80,000
<b>20 applications</b>		<b>\$2,570,218</b>	<b>\$ 1,289,034</b>	<b>\$ 1,281,184</b>

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

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**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**OTHER**

**COMMUNITY PARTNERSHIP FUNDING AND  
SPONSORSHIP GRANTS**

**ATTACHMENT 3**

**SPONSORSHIPS 2022**

**PAGES 2 (including cover)**

**4.1.1 Community Partnerships Funding and Sponsorship Grants (Cont.)**

**Sponsorships 2022**

Recommended Applications

Applicant Name	Project Title	Total Recommendation	2022/23	2023/24
City of Greater Dandenong Band	City of Greater Dandenong Band	\$ 50,000	\$ 25,000	\$ 25,000
Dandenong Agricultural & Pastoral Society Inc	150th Show and 151st show	\$ 75,000	\$ 40,000	\$ 35,000
Noble Park Community Centre Inc	Noble Park Community Art Show	\$ 30,000	\$ 15,000	\$ 15,000
Springvale Asian Business Association Inc	2023 Springvale Annual Lunar NewYear Festival	\$ 70,000	\$ 35,000	\$ 35,000
Springvale Neighbourhood House	Springvale Harmony Festival: We Are One But We Are Many	\$ 30,000	\$ 15,000	\$ 15,000
Southern Dance Festival	Southern Dance Festival	\$ 17,000	\$ 8,500	\$ 8,500
Southern Waters Ski Show Team	On Community Water Ski Show	\$ 10,000	\$ 5,000	\$ 5,000
Victorian Afghan Associations Network	The Nawroz Festival 2023	\$ 30,000	\$ 15,000	\$ 15,000
Vietnamese Community in Australia - VIC Chapter	TET 2023-2024 Lunar New Year Festival	\$ 60,000	\$ 30,000	\$ 30,000
<b>9 applications</b>		<b>\$372,000</b>	<b>\$188,500</b>	<b>\$183,500</b>



#### **4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022**

File Id:

Responsible Officer:

Director Community Services

Attachments:

Draft Minutes of Positive Ageing Advisory  
Committee on 14 April 2022

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### **1. Report Summary**

At the Council meeting held 23 April 2018, Council resolved in part to *invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement*. This resolution also allowed interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

### **2. Recommendation Summary**

This report recommends that the draft Minutes of the Positive Ageing Advisory Committee meeting provided in Attachment 1 to this report be noted and endorsed by Council.

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#### 4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)

### 3. Background and Proposal

Greater Dandenong Council is represented on a wide range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Annual meeting to elect the Mayor and Deputy Mayor and is available via Council's website.

The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees and Reference Groups to be submitted to Council for information purposes, for noting and for endorsement (not adoption).

As such, the draft Minutes are provided as Attachment 1 to this report.

There are no financial implications associated with the development and submission of this report.

### 4. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*The City of Greater Dandenong is a home to all.  
It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **4.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community.
- Education, training, entrepreneurship and employment opportunities.
- Sustainable environment.
- Embrace diversity and multiculturalism.
- Mind, Body and Spirit.
- Art and Culture.

#### **4.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city.
- A city that respects and celebrates diversity, our history and the arts.

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#### 4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)

- A city of accessible, vibrant centres and neighbourhoods.
- A green city committed to a sustainable future.
- A city that supports entrepreneurship, quality education and employment outcomes.
- A Council that demonstrates leadership and a commitment to investing in the community.

### 5. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (LGA2020) states that a Council must in the performance of its role give effect to the overarching governance principles.

The establishment of the Positive Ageing Advisory Committee and the work that it undertakes gives particular consideration to the following overarching governance principles:

- priority is given to achieving the best outcomes for the municipal community, including future generations (section 9(b) of the LGA2020);
- the municipal community is engaged in strategic planning and strategic decision making – many advisory committees and reference groups have community members as participants (section 9(d) of the LGA2020);
- innovation and continuous improvement is pursued (section 9(e) of the LGA2020);
- collaboration with other councils, governments and statutory bodies is sought – many advisory committees and reference groups have representatives attending from these organisations (section 9(f) of the LGA2020);
- the ongoing financial viability of Council is ensured (section 9(g) of the LGA2020);
- regional, state and national plans and policies are taken into account in strategic planning and decision making – diverse representation within these groups ensures this occurs (section 9(h) of the LGA2020); and
- the transparency of Council decisions, actions and information is ensured by this regular reporting mechanism (section 9(i) of the LGA2020).

### 6. Victorian Charter of Human Rights and Responsibilities

All matters relevant to the Victorian Charter of Human Rights and Responsibilities have been considered in the preparation and are consistent with the standards set by the Charter.

### 7. The *Gender Equality Act 2020*

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents because it is a reporting mechanism only.

The report does not have the potential to influence broader social norms and gender roles nor does it benefit any one gender group over any other.

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**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

## **8. Consideration of Climate Change and Sustainability**

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a “Climate and Ecological Emergency” and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability because it is purely administrative in nature and is a reporting mechanism only.

## **9. Recommendation**

**That Council notes the draft Minutes of meeting for the Positive Ageing Advisory Committee as provided in Attachment 1 to this report.**

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**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

**OTHER**

**DRAFT MINUTES OF POSITIVE AGEING ADVISORY COMMITTEE  
MEETING**

**ATTACHMENT 1**

**POSITIVE AGEING ADVISORY  
COMMITTEE MEETING  
HELD ON 14 APRIL 2022**

**PAGES 5 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

**Advisory Committee or Reference Group Name:** Positive Ageing Advisory Committee

**Date of Meeting:** 14 April 2022

**Time of Meeting:** 1.30-3.30pm

**Meeting Location:** Springvale Community Hub  
 5 Hillcrest Grove, Springvale  
 Community Rooms 6

Also via Microsoft Teams

**Attendees:**

Committee: Julie Klok (Chair), Maria Erdeg, Carol Drummond, Christine Green

Council Officers: Mandy Gatliff, Jayne Kierce, Jenny Vong (minute taker)

**Apologies:** Erica Moulang, Morrie Hartman, Cr Sophie Tan, Tracey Macleod

**Minutes:**

Item No.	Item	Action	Action By
1.	<b>Welcome and Introductions</b> Welcome from the Chair		
2.	<p><b>Previous Minutes &amp; Business Arising</b></p> <ul style="list-style-type: none"> <li>February minutes were accepted – moved Maria Erdeg and seconded Carol Drummond</li> <li>Apologies noted</li> </ul> <p>The Manager of Community Care informed the Committee that there will be an article on promoting social connection in Council's News magazine in the coming months.</p> <p>Discussion was had on where to distribute brochures on elder abuse would be. Community meeting places such as Seniors clubs, libraries, neighbourhood houses and GP surgeries were some of the suggestions</p> <p>The next Positive Ageing newsletter has been delayed due to staffing challenges caused by a mix of staff vacancies and a high number of staff isolating due to COVID. The next edition being distributed will be the Winter edition in June.</p>	Circulate first Positive Ageing Newsletter to Committee	Community Care Business Support Officer
3.	<p><b>Update on new programs in CGD to encourage older residents to get their COVID booster shots</b></p> <p>Discussion was held on how to encourage vaccination doses for people aged 60 and over including:</p>		

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

	<ul style="list-style-type: none"> <li>- Information and promotion in community languages in simple and easy to understand</li> <li>- Distributed in several communication channels including community groups, Council resources, local shops, libraries</li> <li>- Disability Liaison Officers (DLOs) help people with a disability access vaccinations through assistance with booking, in home vaccination, advice and transport support.</li> </ul> <p>The Manager Community Care advised the Committee that Council has been successful in attaining a grant for \$60,000 for the Community Liaison Officer program to extend the individualised support available to community members that face barriers to get vaccinated.</p> <p>Two COVID-19 vaccination booster infographic flyers were presented to the Committee for feedback.</p> <p>Feedback will help CGD design a flyer to help encourage our older residents to consider getting their booster given the uptake in our municipality is lower than the state average.</p>	<p>Finalise COVID-19 booster flyer and organise mailout to clients</p>	<p>Manager Community Care</p>
<p>4.</p>	<p><b>Discussion on the “Ageing well in a changing world” report by the Commissioner for Older Victorians Gerard Mansour</b></p> <p>The Coordinator Community Access provided an overview on the summary report of the <i>Ageing Well in a Changing World</i> report, which outlines feedback from the senior Victorians and their thoughts on what it means to ‘age well’.</p> <p>From community consultations and online surveys, eight key attributes of ageing well from the perspective of an older person were identified including:</p> <ol style="list-style-type: none"> <li>1. A positive attitude</li> <li>2. Life has purpose and meaning</li> <li>3. Respected and respectful</li> <li>4. Connected to family, friends and society</li> <li>5. In touch with a changing world</li> <li>6. Safe and secure at home and financially</li> <li>7. Able to manage health issues including mental health</li> <li>8. Able to get around</li> </ol> <p>The report supports our priorities and actions in our Positive Ageing Strategy. The Committee discussed several initiatives including:</p> <ul style="list-style-type: none"> <li>- Running of smaller social group programs such as morning teas or dances</li> <li>- Organising programs during the year, not just in Seniors’ Week</li> <li>- Providing hybrid programs both face to face and online</li> </ul>	<p>Design and implementation of smaller group activities throughout the year</p>	<p>Positive Ageing Team Leader</p>

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

	<ul style="list-style-type: none"> <li>- Affordable activities</li> <li>- Friendship club where you can meet new people and make new friends</li> <li>- Chatty café program which aims to get people chatting to build and encourage social connections within the local community, and to help reduce social isolation and loneliness</li> </ul>		
5.	<p><b>Discussion regarding the mid-point review of the CGD Positive Ageing Strategy</b> The Positive Ageing Strategy 2017-25 has reached its midway point. The review process will include achievements to date, identify opportunities and focus for the remainder of the strategy to meet the needs of the Greater Dandenong community.</p> <p>The Coordinator Community Access provided some areas identified that require greater focus including:</p> <ul style="list-style-type: none"> <li>- Promote ongoing consultation regarding Council initiatives and activities that impact on older people</li> <li>- Provide appropriate community transport options for eligible older people</li> <li>- Reduce loneliness and social isolation by promoting participation in community group programs</li> <li>- Increase volunteering opportunities</li> </ul>	<p>Draft the mid-point review and circulate to the Committee for feedback</p>	<p>Coordinator Community Access</p>
6.	<p><b>Update on Minderoo Climate Resilience Project</b> The Manager Community Care provided an update on the Minderoo Climate Resilience Project through our membership in the South East Councils Climate Change Alliance (SECCCA).</p> <p>The project is funded by charitable organisation Minderoo and is intended to help our communities prepare for current and future changes to the climate. It leverages the outputs of the Asset Vulnerability Assessment project and intends to identify vulnerable communities and community assets, create a comprehensive data set based on climate modelling and risk, and trial solutions to protect these groups.</p>	<p>For noting</p>	
7.	<p><b>Other business:</b> The Manager Community Care advised no further updates on the Aged Care reforms and the proposed new Support at Home Program has been provided.</p> <p>The Committee was reminded that expression of interest to re-join the Positive Ageing Advisory Committee closes on Friday 29 April.</p> <p>The Manager Community Care asked the Chair if</p>	<p>Provide updates to Committee members</p> <p>Complete expression of interest application</p> <p>Email list of SRSs to</p>	<p>Manager Community Care</p> <p>Committee members</p> <p>Chair</p>

*If the details of the attachment are unclear please contact Governance on 8571 5235.*



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**4.1.2 Draft Minutes of Positive Ageing Advisory Committee Meeting - 14 April 2022 (Cont.)**

	she had a list of Supported Residential Services (SRS) within the municipality.  Committee member reminded everyone that the parking at the Springvale Community Hub is only 2 hours. All day street parking is available in the surrounding area.	Manager Community Care	
	<b>Next Meeting</b> Thursday 9 June		
<b>Meeting Closed 3.11pm</b>			

DRAFT

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

#### **4.1.3 Leave of Absence - Cr Angela Long**

File Id: A8782148  
Responsible Officer: Manager Governance

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#### **1. Report Summary**

Councillor (Cr) Angela Long requests a leave of absence from 1 July to 31 August 2022. This leave of absence is inclusive of the scheduled Council Meetings of 11 July, 25 July, 8 August and 22 August 2022.

#### **2. Recommendation Summary**

This report recommends that a leave of absence be granted to Cr Long for the period requested.

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#### **4.1.3 Leave of Absence - Cr Angela Long (Cont.)**

### **3. Background**

This report is submitted in conjunction with Council's Governance Rules which state that any Councillor may request a leave of absence in writing submitted to the Chief Executive Officer or Mayor and state the dates they require the leave and the reason for which it is sought.

Further, under section 35(4) of the *Local Government Act 2020*, Council must grant any reasonable request for leave.

The leave of absence will include the:

- scheduled Council Meetings of 11 July, 25 July, 8 August and 22 August 2022 and the Pre-Council Meetings before each of these;
- scheduled Councillor Briefing Sessions of 4 July, 18 July, 1 August and 15 August 2022; and
- any further Councillor Briefing Sessions or meetings organised during the requested period of absence.

This leave of absence is requested for personal reasons.

### **4. Financial Implications**

There are no financial implications associated with this report.

### **5. The Overarching Governance Principles of the *Local Government Act 2020***

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. In relation to this report the following overarching governance principles have been considered:

- a. Council decisions have been made and actions taken in accordance with the relevant law; and
- b. the transparency of Council decisions, actions and information has been ensured.

### **6. Victorian Charter of Human Rights and Responsibilities**

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter.

### **7. The *Gender Equality Act 2020***

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

#### **4.1.3 Leave of Absence - Cr Angela Long (Cont.)**

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents. It is purely administrative in nature and does not have a direct impact on members of the Greater Dandenong community. A gender impact assessment is therefore not required.

#### **8. Recommendation**

**That Council grants a leave of absence to Cr Angela Long for the period 1 July to 31 August (inclusive) which includes the Council Meetings of 11 July, 25 July, 8 August and 22 August 2022 and notes Cr Long's apology for each of those meetings.**

#### **4.1.4 List of Registered Correspondence to Mayor and Councillors**

File Id:	qA283304
Responsible Officer:	Manager Governance
Attachments:	Correspondence Received 16 May – 3 June 2022

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#### **Report Summary**

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 16 May – 3 June 2022.

#### **Recommendation**

**That the listed items provided in Attachment 1 for the period 16 May – 3 June 2022 be received and noted.**

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**4.1.4 List of Registered Correspondence to Mayor and Councillors (Cont.)**

**OTHER**

**LIST OF REGISTERED CORRESPONDENCE TO  
MAYOR AND COUNCILLORS**

**ATTACHMENT 1**

**CORRESPONDENCE RECEIVED  
16 MAY – 3 JUNE 2022**

**PAGES 3 (including cover)**

*If the details of the attachment are unclear please contact Governance on 8571 5235.*

**4.1.4 List of Registered Correspondence to Mayor and Councillors (Cont.)**



**Correspondences addressed to the Mayor and Councillors received between 16/05/22 & 03/06/22 - for officer action - total = 3**

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A request from a Springvale resident to remove an old English Oak tree in Ross Court Springvale.	16-May-22	16-May-22	fA245158	Mayor and Councillors EA
A request for Council's views from the Minister for Planning in relation to Amendment C233GDAN - Noble Park Integrated Development Opportunity.	22-May-22	27-May-22	fA246355	Mayor and Councillors EA
A request from the Keysborough Community Children's Centre Inc for a councillor to attend its Reconciliation Action Plan PD Staff Meeting on 20 June 2022.	01-Jun-22	01-Jun-22	fA246701	Mayor and Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

4.1.4 List of Registered Correspondence to Mayor and Councillors (Cont.)



**Correspondences addressed to the Mayor and Councillors received between 16/05/22 & 03/06/22 - for information only - total = 7**

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A letter of acknowledgement from the Minister for Government Services in relation to the Mayor's request encouraging Victorian Public Services staff to return to government offices in Dandenong.	10-May-22	17-May-22		Mayor and Councillors EA
A letter from the Minister for Government Services advising of the Local Government Culture Project Insights Report.	16-May-22	19-May-22		Mayor and Councillors EA
A letter from the Mayor of Glen Eira City Council encouraging all Councils to adopt the working definition of antisemitism developed by the International Holocaust Remembrance Alliance.	11-May-22	16-May-22	A8756065	Mayor and Councillors EA
A letter from the Australian Local Government Association advising of the commitments it has secured for local governments in the lead up to the Federal Election.	17-May-22	19-May-22	A8768681	Mayor and Councillors EA
A letter from the Department of Home Affairs acknowledging the Mayor's letter of 22 March 2022 in relation to Australia's refugee and humanitarian policies.	13-May-22	23-May-22	A8777686	Mayor and Councillors EA
A comment from a resident regarding Council giving removed play equipment a second life overseas.	25-May-22	26-May-22	A8790191	Mayor and Councillors EA
A letter from the Minister for Local Government advising that the VAGO audit titled Fraud Control Over Local Government Grants was tabled in Parliament on 11 May 2022.	01-Jun-22	01-Jun-22		Mayor and Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.



## **5 NOTICES OF MOTION**

A notice of motion is a notice setting out the text of a motion proposed to be moved at the next relevant meeting. It must be in writing, signed by a Councillor, and be lodged with the Chief Executive Officer in sufficient time for him or her to give each Councillor at least 72 hours notice of such notice.

The guidelines for submitting a notice of motion to a Council meeting are included in the current Governance Rules.

## **6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS**

The principle purpose of this item in the Council Meeting Agenda is for Councillors to report on their attendance, observations or important matters arising from their liaison or representation with groups for which the Councillor has been formally appointed by Council. In accordance with the documented 'protocol' that applies to either liaisons or representatives, Councillors should raise matters of importance during this item. Other matters may also be reported.

If a Councillor chooses to speak, the name of the conference/event and the Councillor will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be listed in the Minutes, they must submit it in writing to a Governance staff member by 12.00pm the day following this Council Meeting.

Question time is provided to enable Councillors to address questions to members of Council staff. The guidelines for asking questions at a Council meeting are included in the current Governance Rules.

Councillors have a total of 15 minutes each to report on their attendances at meetings, conferences or events and to ask questions of Council staff.

## **7 URGENT BUSINESS**

No business may be admitted as urgent business unless it:

- a. Relates to or arises out of a matter which has arisen since distribution of the Agenda.
- b. Cannot safely or conveniently be deferred until the next ordinary meeting and unless agreed to by a majority of those Councillors present at the meeting.