



**GREATER
DANDENONG**
City of Opportunity

AGENDA

COUNCIL MEETING

MONDAY, 11 JULY 2022
Commencing at 7:00 PM

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Cr Angela Long - 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 Sheikh Uzayr Zubair Ali from the Albanian Sakie Mosque, a member of the Greater Dandenong Interfaith Network.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 27 June 2022.

Recommendation

That the minutes of the Meeting of Council held 27 June 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.

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 SEALING

2.1.1 Documents for Sealing

File Id:	A2683601
Responsible Officer:	Manager Governance

Report Summary

Under the Victorian Local Government Act, each Council is a body corporate and a legal entity in its own right. Each Council must therefore have a common seal (like any corporate entity) that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

Recommendation Summary

This report recommends that the listed documents be signed and sealed.

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are 3 items being presented to Council's meeting of 11 July 2022 for signing and sealing as follows:

1. A letter of recognition to Kalhara Heendeni Ya, Community Care for 10 years of service to the Greater Dandenong City Council;
2. A letter of recognition to Van Nguyen, Community Care for 10 years of service to the Greater Dandenong City Council;
3. An Instrument of Appointment of Authorised Officer under the provisions of the *Local Government Act 1989*, the *Local Government Act 2020*, the *Environment Protection Act 2017*, the *Infringements Act 2006*, the *Planning and Environment Act 1987*, the *Public Health and Wellbeing Act 2008*, the *Road Management Act 2004*, the *Road Safety Act 1986*, Parts 2 and 3 of the *Subdivisions Act 1988*, the *Summary Offences Act 1966*, the *Victorian Civil and Administrative Tribunal Act 1998* and the Regulations made under each of those Acts; the Local Laws made under the *Local Government Act 1989* and the *Local Government Act 2020*; and any other Act, Regulation or delegated legislation (including the Greater Dandenong Planning Scheme) which relates to the powers of the Council made under the provisions and enactments described. This instrument enables the following Council officer to carry out the statutory responsibilities of the above Acts and is subject to policy and delegations previously adopted by Council:
 - Tracey Ridout.

Recommendation

That the listed documents be signed and sealed.

2.2 DOCUMENTS FOR TABLING

2.2.1 Petitions and Joint Letters

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

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.

2.2.1 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 11 July 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.

2.2.1 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.

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
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2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663)

File Id:	115560 & 115565
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	Abacus Design & Planning
Proposal:	The development of the land for eight (8) double storey dwellings
Zone:	General Residential Zone - Schedule 3
Overlay:	No overlays apply to the site
Ward:	Springvale Central

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.

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:

- Overdevelopment & Neighbourhood character.
- Traffic and car parking.
- Waste management.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

- Overshadowing.
- Overlooking.
- Noise impacts
- Vegetation loss

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 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.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Subject Site and Surrounds

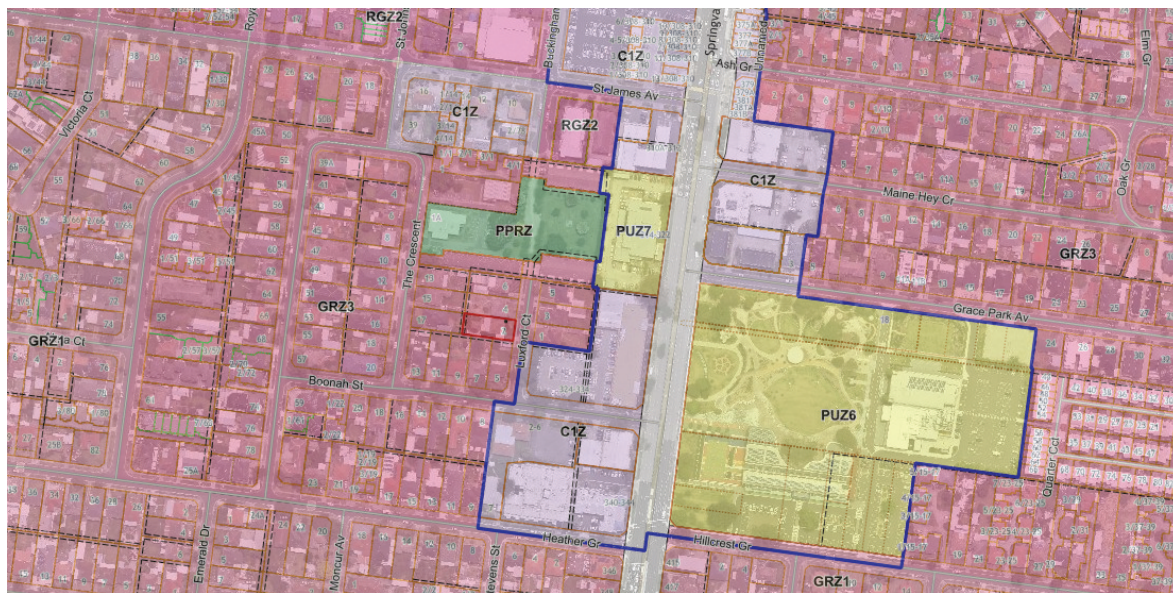
Subject Site

- The subject site is located to the west side of Luxford Court.
- The site is rectangular in shape with a frontage of 31.09m, a depth of 38.10m and an overall site area of 1184sqm.
- The land is currently occupied by single storey weather board houses on both 2 Luxford and 4 Luxford Court. A single crossover exists to 2 Luxford Court and a single crossover to 4 Luxford Court.
- A 1.83m wide drainage and sewerage easement is located along the rear boundary.
- There are several small 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 Springvale Train Station is located 800m to the northeast and the Springvale Activity Centre core is located 430m to the northeast.

Locality Plan



p Subject Site North é

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Background

Previous Applications

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

Proposal

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

The details of the proposal are as follows:

Type of proposal	Multi dwellings										
Number of dwellings	Eight (8)										
Levels	All double storey										
Height	The proposed development would have a maximum building height of 7.42 metres.										
Orientated to	Luxford Court.										
External materials	Render cladding / Vertical cladding / Brick / Timber look garage door										
Minimum setbacks (<i>encompasses all dwellings</i>)	North: 0m. South 0m. East: 5m. West: 1.88m.										
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 follows (in square metres):</p> <table><tr><td></td><td>Ground level SPOS</td><td>Total POS</td></tr><tr><td>D1</td><td>25sqm</td><td>89.6sqm</td></tr><tr><td>D2</td><td>26sqm</td><td>40sqm</td></tr></table>			Ground level SPOS	Total POS	D1	25sqm	89.6sqm	D2	26sqm	40sqm
	Ground level SPOS	Total POS									
D1	25sqm	89.6sqm									
D2	26sqm	40sqm									

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	D3	26sqm	40.2sqm
	D4	29.7sqm	110.5sqm
	D5	25.1sqm	77.5sqm
	D6	25.4sqm	41.1sqm
	D7	25.4sqm	41.2sqm
	D8	25.9sqm	52.3sqm
Number of Car parking Spaces provided	A total of ten (10) car parking spaces would be provided for the dwellings.		
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 ten (10) 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 as the site is located within the PPTN.</p> <p>The number of car spaces provided complies 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	Three (3) new vehicle crossover would facilitate vehicular access to the dwellings.		
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.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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.

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 immediately surrounding land to the north, south, west and east. The land to the southeast is within a Commercial Zone – Schedule 1 (Centrelink).

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*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

-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.*

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.

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.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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:

- *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*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (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.*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (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.*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (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.*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (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 ten (10) 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, providing the required ten (10) car parking spaces.

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.*

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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.

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 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

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.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Internal Referrals	
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 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 Luxford Court.

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*).

Overdevelopment & Neighbourhood character

The proposal of eight (8) double storey dwellings is considered to be in keeping with the local policy of Clause 22.09 Residential Development and Neighbourhood Character for a 1184sqm site located within an Incremental Change Area, which supports medium density development, located on the periphery of the Springvale activity centre with excellent walkability and connectivity to services, public transport and community facilities. There is an emerging composition of multi-unit developments in the surrounding area on the periphery of the Springvale activity centre with double storey-built form considered suitable for the area, provided it respects the local character of the area. As the proposal has accommodated each dwelling with an appropriate response to areas of open space, setbacks and landscaping, it is considered that the subject site is suitable for this type of development and the proposal is not an overdevelopment of the site and respects the preferred neighbourhood character.

Traffic & Parking

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Concerns have been raised with respect to an increase in car parking, street congestion and limited on-street availability. All of the required on-site car parking spaces have been provided in accordance with Clause 52.06 and the proposal complies with the design principals to Clause 52.06-9 with respect to on-street parking. The objection raises concern in relation to the walk-in robe of Dwelling 8 being considered a third bedroom. Council officers do not have any evidence that this will be utilised as a third bedroom, and it is also noted that this is the only walk in robe provided for bedroom 2 of this dwelling and is typical of a master suite. Furthermore, the application was referred to Council's internal traffic engineer who raised no objection to the proposal. It is therefore considered that the proposal will not result in unacceptable traffic and parking issues.

Waste Management

The application and waste management report and plan were referred to Council's internal waste management team. Council's waste management team has advised that the waste management plan provided has been reviewed, and a Council kerbside collection approved. It is therefore considered waste management can be appropriately managed.

Overlooking

Concern has been raised regarding privacy and overlooking from the proposal.

The test for overlooking is set by Clause 55.04-6 (Overlooking objective) Standard B22. Overlooking is assessed at both ground and first floor.

Ground Floor:

In accordance with the Standard, ground floors are exempt from this standard as on the north, east and west boundaries, the minimum 1.8 metre high boundary fences would act as visual barriers given the floor levels of the proposed development are less than 0.8 metres above ground level.

First Floor

Direct views into existing secluded private open space areas and habitable room windows have been avoided, as proposed habitable room windows have been screened in the following ways:

- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.*
- Have 1.7m obscured glass balustrade on balconies to 1.7m above finished floor level.*
- Have sill heights of at least 1.7 metres above floor level.*

Other standard conditions would be included on the permit to ensure the fixed obscure glazing provided to upper floor bathrooms are not provided via adhesive film and is instead provided through frosted (or similarly treated) glass and will be maintained to the satisfaction of Council as well as ensuring all privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

The proposal complies with Standard B22 - Overlooking.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Overshadowing

Concern has been raised regarding overshadowing from the proposed development to the existing dwelling adjoining the site.

The test for overlooking is set by Clause 55.04-5 – Standard B21 for overshadowing of open space. An assessment of the shadow diagrams provided show that the secluded private open space of all neighbouring properties would receive at least 75% sunlight to the secluded private open space areas for the minimum of five (5) hours between 9 am and 3 pm on 22 September, thus complying with Standard B21.

Noise Impacts

Concern has been raised regarding noise impact from the construction of proposed development. The development of multi dwellings is expected and part of infill development and is not considered unreasonable. All developments are also required to meet the relevant EPA noise legislation. It is noted that the objector who has raised this concern is located over 3.9km from the subject site and as such will be highly unlikely to be affected by noise impacts from this proposal.

Vegetation loss

Concern has been raised regarding vegetation loss from the proposed development. The subject site is not covered by any form of vegetation protection overlay and no trees to be removed require a planning permit. As demonstrated by the submitted landscape plan and as per conditions recommended, the proposal will have an excellent landscape outcome through planting of a canopy tree in every rear yard of each dwelling as well as improved landscaping in the front of the site creating a positive landscaped character that exceeds the existing conditions.

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 two (2) 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 eight (8) 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:

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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 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.

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 200m southwest from the site at 63 Royal Avenue which contains seven (7) double storey dwellings and at 72 St Johns Avenue (150m to the southwest) which contain four (4) 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.

Matters that require further discussion are included below:

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.

Design Principle for each future change area:

Internal Amenity

The overall layout allows space for compliant internal amenity (subject to conditions) with sufficient space as well as connectivity to ground floor secluded private open space from main living areas. The three bedroom dwellings (Dwelling 1 and 5) have good sized living areas, and while the living

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

areas of the remaining dwellings are smaller, they service two bedroom dwellings, and are considered to be of a sufficient size to support this number of bedrooms. It is also important to note that the site is located in the General Residential Zone – Schedule 3 (GRZ3), which encourages a higher intensity of development than would be expected in the General Residential Zone – Schedule 1 and 2.

Furthermore, conditions have been included on the permit to ensure that the ground floor living areas have been increased. Condition 1.2 ensures further functionality of the living area of Unit 1. Condition 1.3 has been added to ensure a more functional internal amenity for Unit 8, whilst ensuring the private open space area is still adequate. All other dwellings have the appropriate living area and functional internal amenity.

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.*

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 all the dwellings propose setbacks to the neighbouring sensitive residential interfaces to the north, south and west that are fully compliant with Standard B17 – Side & Rear Setbacks, and as such would not have any unacceptable adverse impacts on the amenity of the surrounding 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.

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 ten (10) car parking spaces are required.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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, resulting in a total of ten (10) car parking spaces being provided.

No visitor car space is required or provided.

The number of car spaces provided complies with Clause 52.06 (Car parking)

The proposal complies with the Design Standard of Clause 52.06-9 subject to a condition requiring 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 Dandenong Planning Scheme Clause 52.06-9', and a full Clause 52.06 assessment is attached to this report at Attachment 4.

Clause 55 Assessment - ResCode

The proposal complies with all of the requirements specified within Clause 55 of the Greater Dandenong Planning Scheme. A full clause 55 assessment is included in Attachment 5 to this report.

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:

- Any other changes associated with the revised Sustainable Design Assessment as per Condition 5.

BESS Information Summary		Project Overall Score: % 54		
		Fail	Best Practice	Design Excellence
		(<49%)	(50-69%)	(>70%)
Dwelling Type: Non-residential				
BESS Category	Score	Initiatives		

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Management	0%	
		Preliminary energy rating assessment (NatHERS) to be undertaken
Water	50%	
		<ul style="list-style-type: none"> Rainwater tank capacity of 2,000L per dwelling connected to: Landscape irrigation, Toilet flushing, Laundry use
		<ul style="list-style-type: none"> Potable water consumption reduced by at least 52% compared to same building following minimum standards (to be confirmed)
		<ul style="list-style-type: none"> High WELS star rated water fittings, fixtures and appliances
Energy	50%	
		<ul style="list-style-type: none"> Preliminary energy ratings not yet undertaken
		<ul style="list-style-type: none"> High efficiency reverse cycle air conditioning
		<ul style="list-style-type: none"> High efficiency 5-star gas instantaneous hot water system specified.
		<ul style="list-style-type: none"> Estimated greenhouse gas emissions reduced by at least 68% compared to compared to same building following minimum standards
Stormwater	100%	
		<ul style="list-style-type: none"> Stormwater design to meet industry best practice requirements though incorporation of rainwater collection and re-use
Indoor Environment Quality	100%	
		<ul style="list-style-type: none"> Double glazing to all habitable room windows.
		<ul style="list-style-type: none"> Majority of living spaces oriented north for passive benefits
Transport	50%	
		<ul style="list-style-type: none"> Space for bicycle parking in each dwelling garage
Waste	50%	
		<ul style="list-style-type: none"> Space allocation in P.O.S for organic waste disposal bins

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Urban Ecology	62%	
		<ul style="list-style-type: none">Over 25% of the site is permeable and landscapable
Innovation	0%	

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.

Recommendation

That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987 in relation to Planning Application No. PLN21/0663 decides to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 2 & No. 4 Luxford Court SPRINGVALE VIC 3171, for the purpose of the development of the land for eight (8) double storey dwellings 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. An annotation on the plans stating, ‘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 Dandenong Planning Scheme Clause 52.06-9’.**
 - 1.2. The staircase for Dwelling 1 shifted to the north one (1) metre and the upper floor bedrooms reconfigured without alteration of setbacks to property boundaries.**
 - 1.3. The western wall of the dining room and kitchen of Dwelling 8 extended approximately 1.2m further to the west to be in line with western wall of the living room area.**
 - 1.4. Relocation of the existing “2P” parking restriction signage in front of the site to be 1m clear of the proposed middle vehicle crossing.**

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

- 1.5. Landscape plans in accordance with Condition 2.**
- 1.6. Any measures associated with the revised Sustainable Design Assessment in accordance with Condition 5.**
- 1.7. A Tree Protection and Management Plan (TPMP) in accordance with Condition 6.**

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

- 2. 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 the satisfaction of the Responsible Authority, drawn to scale with dimensions and 3 copies must be provided. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**
 - 2.1. plans to accord with Condition 1 of this permit;**
 - 2.2. 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;**
 - 2.3. details of the proposed layout, type and height of fencing;**
 - 2.4. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
 - 2.5. 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;**
 - 2.6 at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the rear secluded open space areas of each dwelling;**

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

- 2.7** improved landscaping to the front setback of Dwelling 1 and 5, including at least two (2) advanced canopy trees within the front of each at a planting height of 1.5 metres;
- 2.8** any paving or deck areas within the secluded open space area of the proposed dwelling on a permeable base;
- 2.9** landscaping designs must use tree species from the Medium- or Large-tree categories of the City of Greater Dandenong's Tree Selection and Planting guidelines. All tree stock must comply with AS 2303-2018 *Tree stock for landscape use*.

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.

- 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 included in the SDA (prepared by Abacus design, dated February 8) but modified to include:

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

- 5.1. A revised BESS assessment that includes selection of management credit 2.2 upon completion of energy ratings.**
- 5.2. A revised BESS assessment that includes revised water category that specifies the washing machines as “occupant to install”.**

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.

- 6. Prior to the commencement of any building and/or works, a Tree Protection and Management Plan (TPMP) must be submitted to and approved by the Responsible Authority. The TPMP must be prepared to the satisfaction of the Responsible Authority by an arborist with a minimum AQF level 5 qualification and must detail tree protection and management actions prior to, during, and post works (including demolition). The TPMP is required:**

- 6.1. To maintain and protect the condition of all neighbouring and public trees**
- 6.2. To comply with AS 4970–2009 Protection of trees on a development sites (Australian Standard AS 4970–2009).**

All works in the TPMP affecting trees must be implemented and/or monitored by an arborist with a minimum AQF level 5 qualification to the satisfaction 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.**
- 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.**

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

- 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.**
- 12. Service units, including air conditioning/heating units, must not be located on any of the balcony areas or where they will be visible from any public area.**
- 13. 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.**
- 14. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 15. 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.**
- 16. 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.
- 17. Before the approved building is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.**
All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.
- 18. 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.**

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

19. This permit will expire if:

- 19.1. The development or any stage of it does not start within two (2) years of the date of this permit, or**
- 19.2. 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.

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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 an 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.

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.

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

STATUTORY PLANNING APPLICATIONS

**Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale
(Planning Application PLN21/0663)**

ATTACHMENT 1

SUBMITTED PLANS

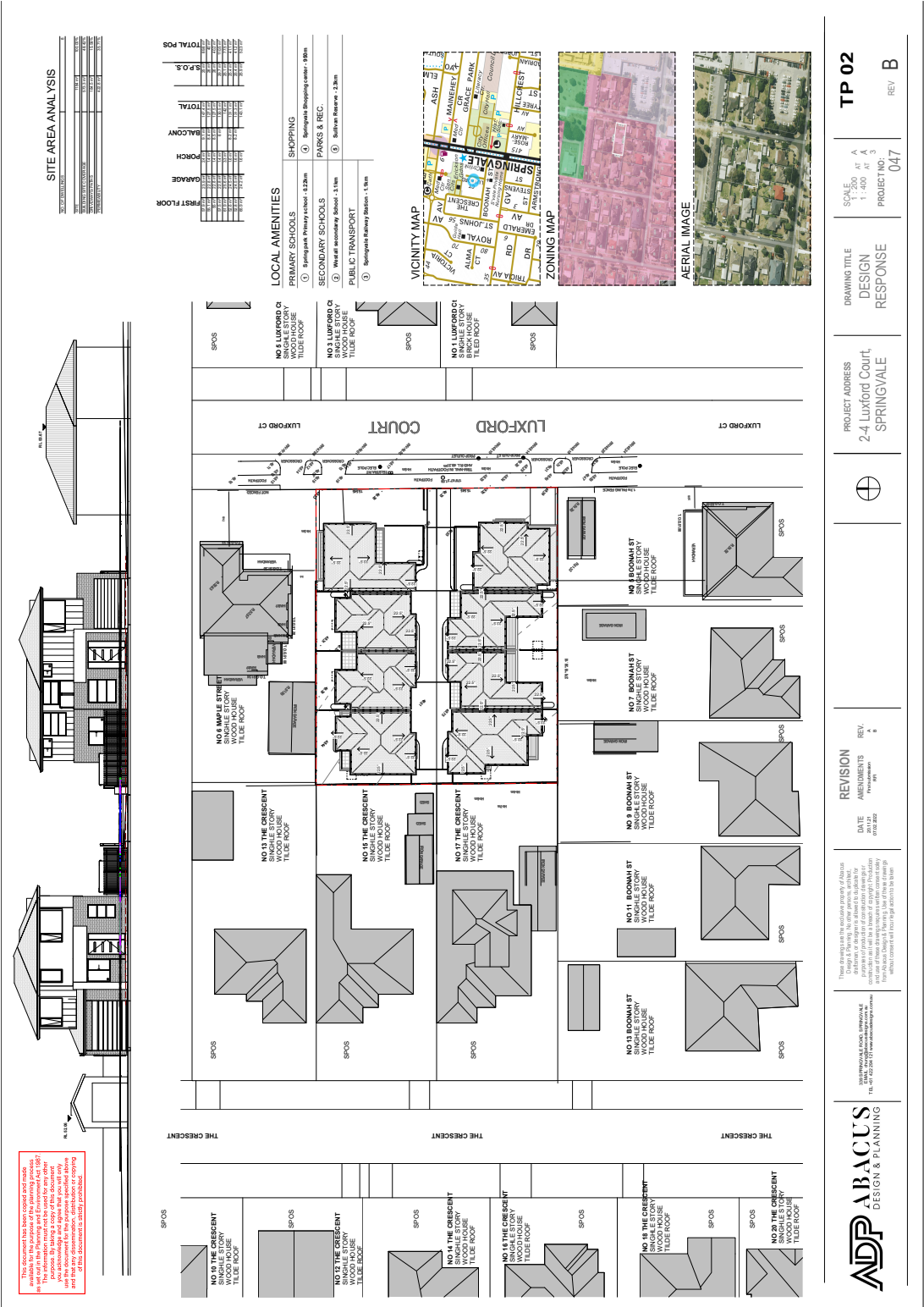
PAGES 17 (including cover)

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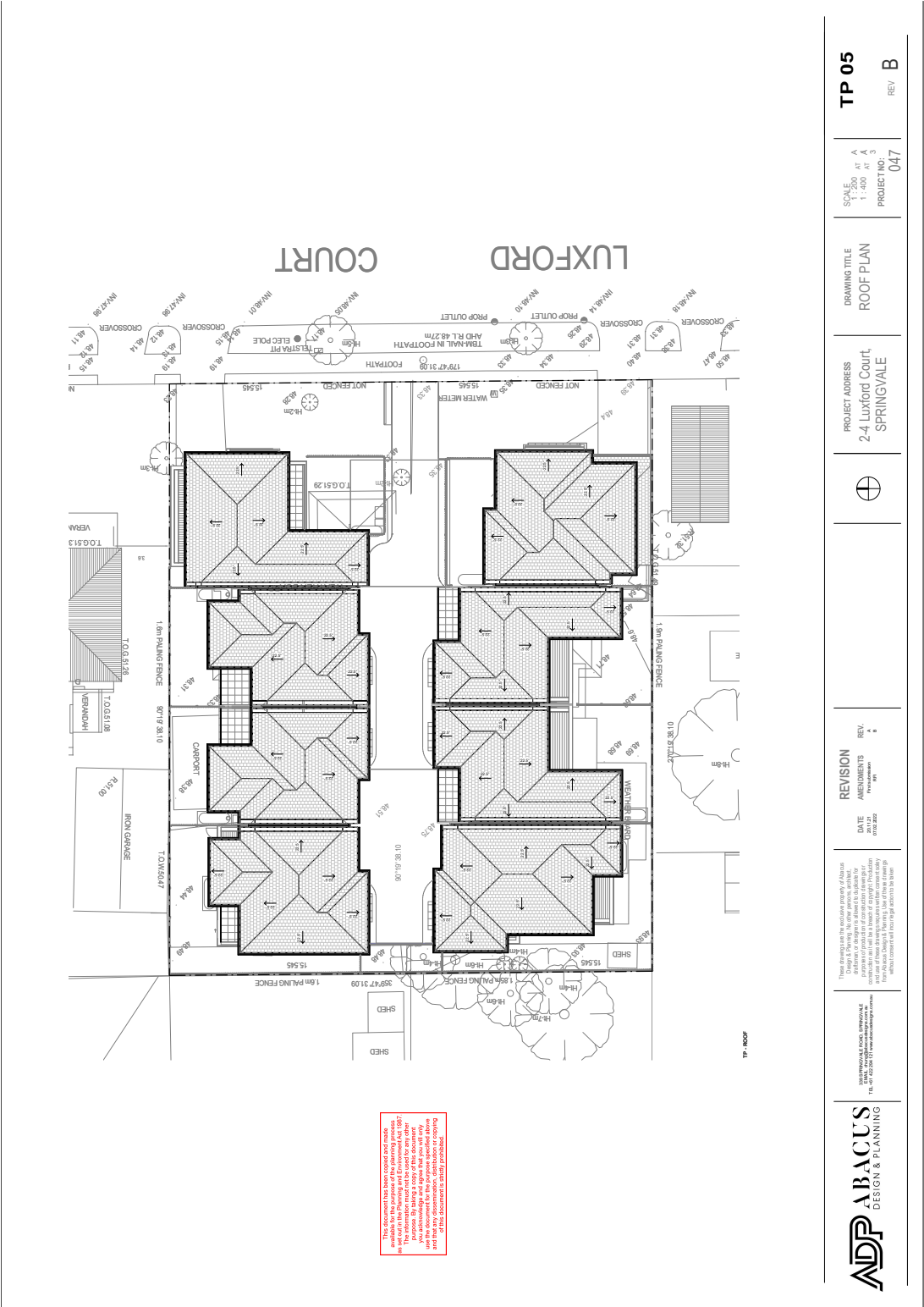
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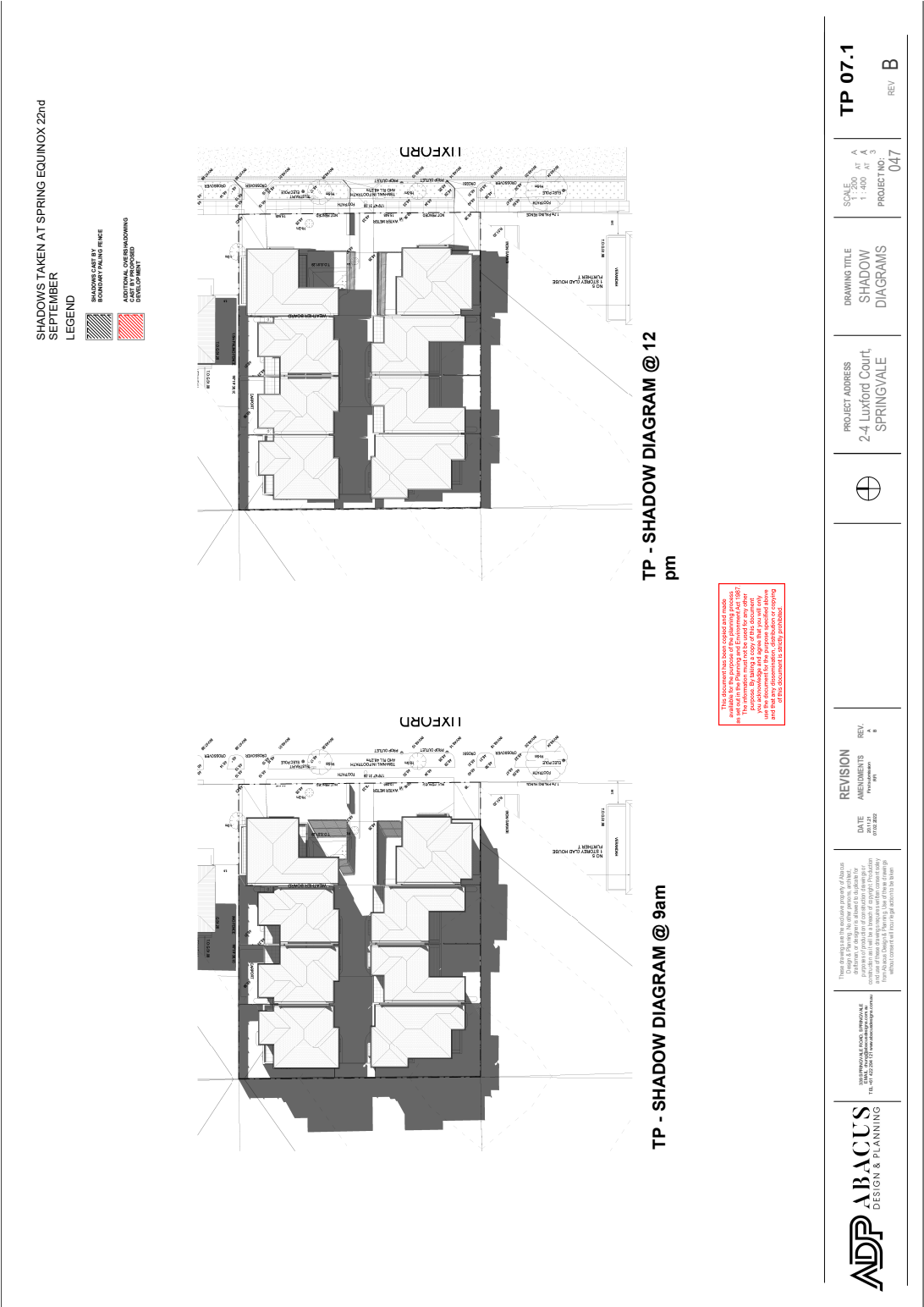
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PLN21/0663) (Cont.)



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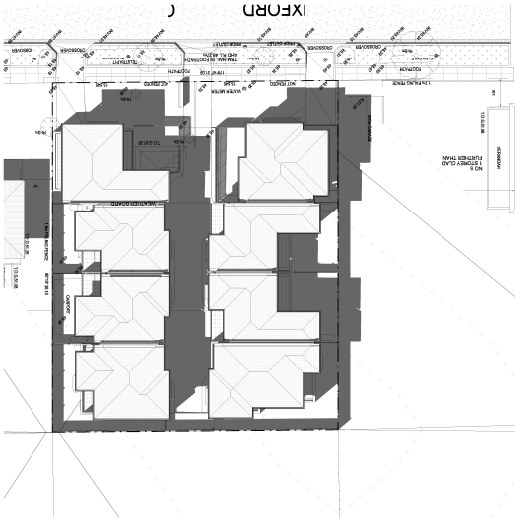
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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application
PLN21/0663) (Cont.)

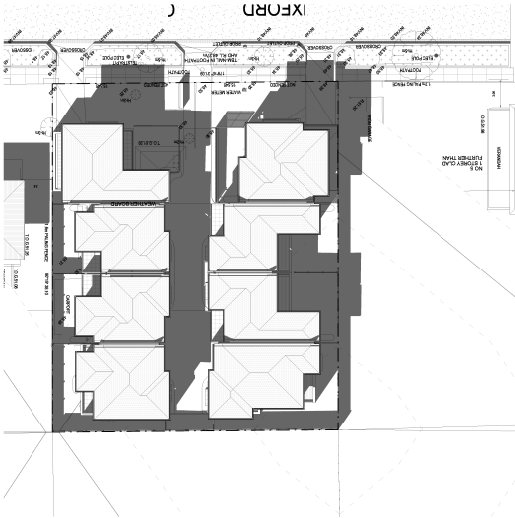


2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application
PLN21/0663) (Cont.)

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TP - SHADOW DIAGRAM @ 2pm
1:200



TP - SHADOW DIAGRAM @ 3pm
1:200

TP 07.2
REV B

SCALE
1:400
PROJECT NO. 047

DRAWING TITLE
SHADOW
DIAGRAMS

PROJECT ADDRESS
2-4 Luxford Court,
SPRINGVALE

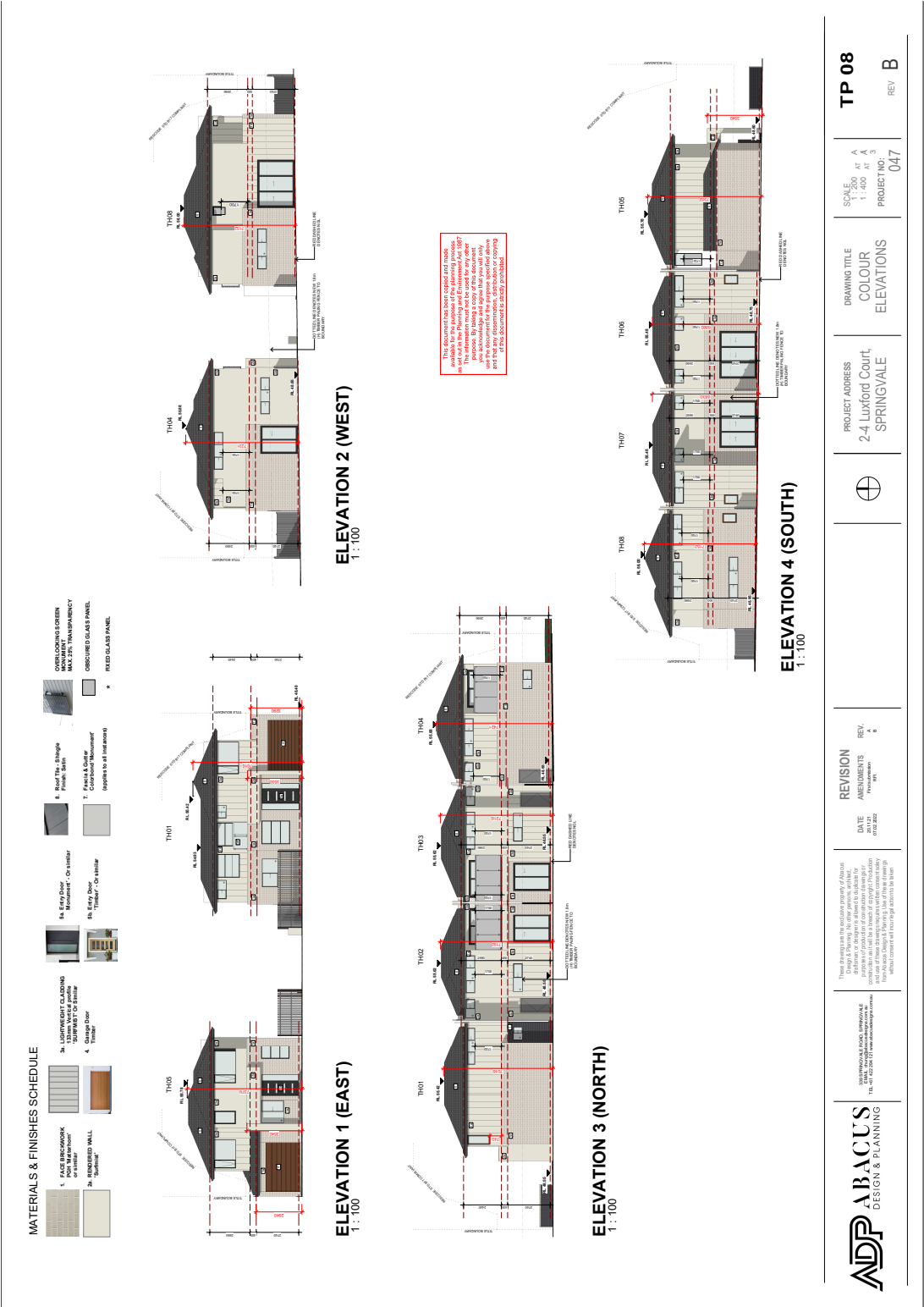


REVISION
AMENDMENTS
DATE
07/07/2022

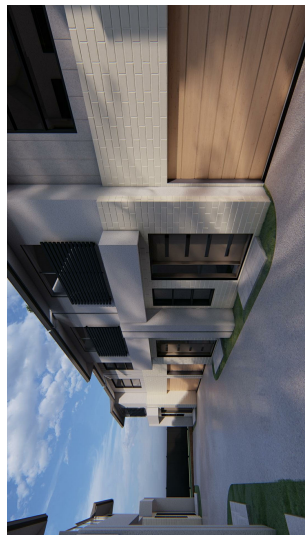
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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application
PLN21/0663) (Cont.)



2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application
PLN21/0663) (Cont.)

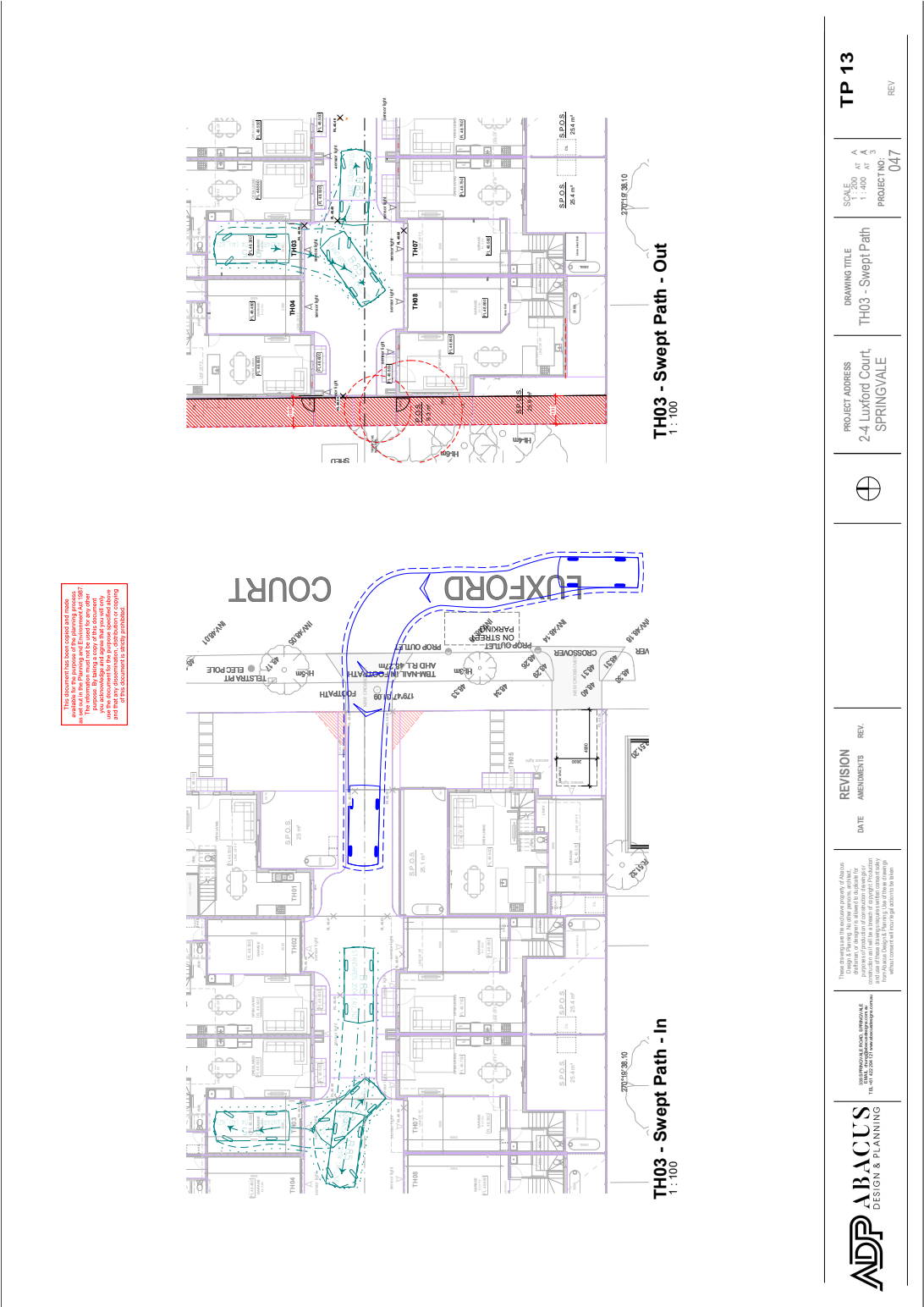


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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application
PLN21/0663) (Cont.)



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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

STATUTORY PLANNING APPLICATIONS

**Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale
(Planning Application PLN21/0663)**

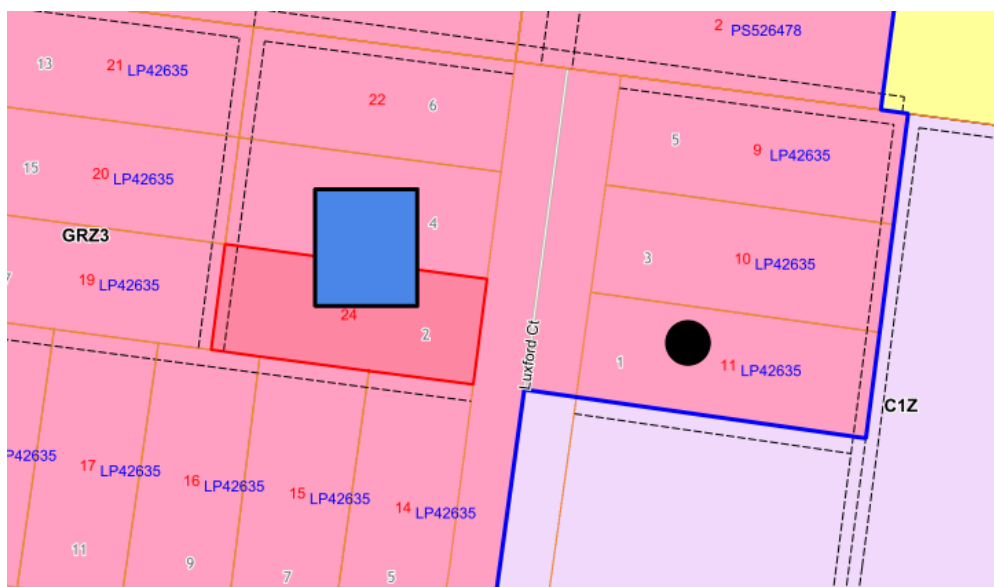
ATTACHMENT 2

LOCATION OF OBJECTORS


PAGES 3 (including cover)

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

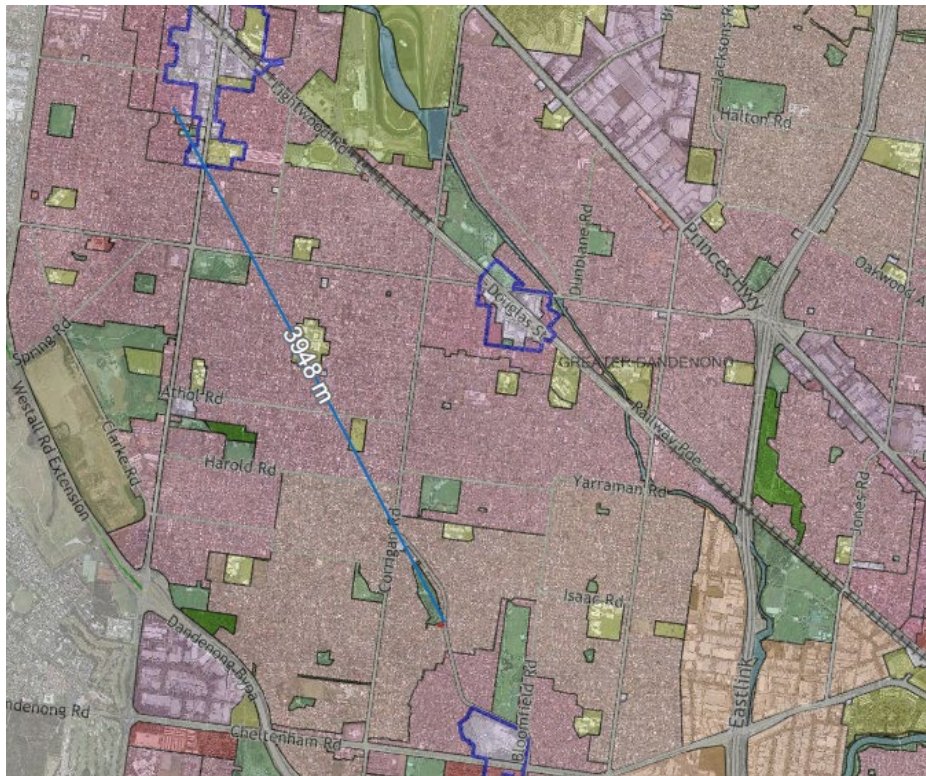


● LOCATION OF OBJECTORS

 SUBJECT SITE

↑ NORTH

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)



Objector 2 located approx. 3.94km from the subject site

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

STATUTORY PLANNING APPLICATIONS

**Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale
(Planning Application PLN21/0663)**

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 8 (including cover)

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Assessment Table for Clause 22

Clause 22.09-3.1 Design Principles for all residential developments

Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:		
	Incorporate active frontages including ground floor habitable room windows.	✓ Principle met The proposal would have active frontages with ground floor habitable room windows oriented towards the street and common accessway.	
	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.	✓ Principle met 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.	
	Use semi-transparent fences to the street frontage.	✓ Principle met None provided	
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	✓ Principle met Sensor lighting provided	
	Ensure that all main entrances are visible and easily identifiable from the street.	✓ Principle met The entrances for the dwellings would be easily identifiable from the street or common accessway	
Landscaping	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	✓ Principle met Non habitable rooms would be away from the from the entrances and are considered appropriate.	
	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.	✓ Principle met The landscape plan has been provided demonstrating substantial tree planting can be accommodated in accordance with this design principle and condition 2's imposed on the permit	
	Provide substantial, high quality landscaping along vehicular accessways.	✓ Principle met	
	Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.	✓ Principle met	

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	Planting trees that are common to and perform well in the area.	✓ Principle met
	Avoid the removal of existing mature trees by incorporating their retention into the site design.	✓ Principle met
	Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.	✓ Principle met 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.
	Ensure that landscaping also addresses the Safety Design Principles.	✓ Principle met
	Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	✓ Principle met 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
	Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.	✓ Principle met Landscaping is proposed that will have a water sensitive design.
	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	✓ Principle met
Car parking	The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.	✓ Principle met Frontage is 31.09m and proposal is fully compliant with Clause 52.06.
	On-site car parking should be: <ul style="list-style-type: none"> Well integrated into the design of the building. Generally hidden from view or appropriately screened where necessary. 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. 	✓ Principle met The garages are well integrated with the development.
	Where car parking is located within the front setback it should be: <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	✓ Principle met
	Developments with basement car parking should consider flooding concerns where applicable.	N/A
	Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern.	✓ Principle met The proposed setbacks are in keeping with the adjoining dwellings and streetscape pattern. No front fence is proposed.
Setbacks, front boundary and width		

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	Maintain the apparent frontage width pattern.	✓ Principle met The existing frontage width pattern would not be significantly altered.
	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.	✓ Principle met Side setbacks would allow for tree planting.
	Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.	✓ Principle met No front fence proposed
	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.	✓ Principle met 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.
Private open space	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.	✓ Principle met Landscaping plan provided suggests that the private open spaces are usable spaces for domestic services and outdoor furniture and is capable of accommodating boundary landscaping.
	Private open space should be positioned to maximise solar access.	✓ Principle met Private open space areas maximises solar access
	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.	✓ Principle met The upper floors do not encroach on the ground floor private open space
	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.	N/A
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by: <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. 	✓ Principle met The proposed dwellings are designed to be in keeping with the streetscape and neighbourhood character
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	✓ Principle met
	The development of new dwellings to the rear of existing retained dwellings is discouraged where: <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	N/A

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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by: <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	N/A
Site Design	Residential development should: <ul style="list-style-type: none"> Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties. 	<p>✓ Principle met No issues identified in regard to the overlooking and overshadowing in the Clause 55 assessment.</p>
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance	<p>✓ Principle met Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling.</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>✓ Principle met</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>✓ Principle met Sufficient setbacks are provided to the front, side and rear to allow for canopy and screen planting.</p>
	Provide suitable storage provisions for the management of operational waste	<p>✓ Principle met Waste management plan approved and storage areas provided for each dwelling.</p>
	Appropriately located suitable facilities to encourage public transport use, cycling and walking.	<p>✓ Principle met The site is located close to Springvale train station and walking distance to Springvale central activity centre.</p>
Materials & Finishes	Residential development should: <ul style="list-style-type: none"> Use quality, durable building materials and finishes that are designed for residential purposes. 	<p>✓ Principle met The materials proposed represent high quality urban design.</p>
	Avoid the use of commercial or industrial style building materials and finishes.	<p>✓ Principle met</p>
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.	<p>✓ Principle met</p>
	Use a consistent simple palette of materials, colours finishes and architectural detailing.	<p>✓ Principle met</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>✓ Principle met</p>

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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Domestic services normal to a dwelling and Building services	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:	
	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.	✓ Principle met
	Be designed to avoid the location of domestic and building services: <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	✓ Principle met
	Residential development should: <ul style="list-style-type: none"> • Ensure that dwelling layouts have connectivity between the main living area and private open space. • Be designed to avoid reliance on borrowed light to habitable rooms. • Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening. • 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. 	✓ Principle met Living room and prime POS for each dwelling is connected. ✓ Principle met Windows are provided to all habitable rooms and would not rely on borrow light. ✓ Principle met All the dwellings would have ground floor living areas.

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)

Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	✓ Principle met Medium density proposed
Building Height	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.	✓ Principle met Two storeys proposed
Landscaping	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	✓ Principle met Adequate space would be reserved for landscaping which could accommodate canopy trees.
Setbacks, front boundary and width	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.	✓ Principle met Paving in front setback is limited to 3x crossovers to enable the provision of 4 canopy trees conditioned to be planted within front setback as per condition 2.

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Private open space	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.	✓ Principle met The secluded private open space is located at either the side or rear of the dwellings.
Bulk & Built Form	Residential development should: Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;	✓ Principle met The built form is not dissimilar to the nearby developments.
	Provide separation between dwellings at the upper level;	N/A in GRZ3
	Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;	✓ Principle met
	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.	N/A in GRZ3
	<p>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 may be considered where:</p> <ul style="list-style-type: none"> • 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. <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	N/A in GRZ3

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

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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

STATUTORY PLANNING APPLICATIONS

**Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale
(Planning Application PLN21/0663)**

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 5 (including cover)

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Assessment Table - Clause 52

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 standard 1 - Accessways	Accessways must:		
	<ul style="list-style-type: none"> Be at least 3 metres wide. Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. 	<p>✓ Standard met All accessways are at least 3m wide</p> <p>✓ Standard met 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>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"> 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. 	Not Applicable	
	<ul style="list-style-type: none"> Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. 	<p>✓ Standard met The accessway or garage doors would have a headroom clearance of at least 2.1m.</p>	
	<ul style="list-style-type: none"> 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 to that cars can exit the site in a forward direction. 	<p>✓ Standard met 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"> Provide a passing area at the entrance at least 5 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 Transport Zone 2 or Transport Zone 3. 	N/A The accessway would serve six (6) car spaces. Thus, a passing area is not required.	
	<ul style="list-style-type: none"> 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. 	<p>✓ Standard met Conditioned on permit</p>	
	<ul style="list-style-type: none"> 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. 	N/A	
	<ul style="list-style-type: none"> If entry to the car space is from a road, the width of the accessway may include the road. 	N/A	

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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table><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><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></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>✓ Standard met</p> <p>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																															
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	5.2 m	3.0 m	4.9 m																															
	4.8 m	3.2 m	4.9 m																															
	<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">• 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.• A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>	<p>✓ Standard met</p> <p>Proposed garages provided would have sufficient internal clearance and not obstructed.</p>																																

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	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.	✓ Standard met
	Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.	✓ Standard met
	Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.	✓ Standard met
	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.	N/A

Design standard 3: Gradients	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.	✓ Standard met													
	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.	✓ Standard met													
	<p>Table 3: Ramp gradients</p> <table> <tr> <th>Type of car park</th><th>Length of ramp</th><th>Maximum grade</th></tr> <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> </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%)	
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%)													
	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.	✓ Standard met													
	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.	✓ Standard met													

Design standard 4: Mechanical parking	Mechanical parking may be used to meet the car parking requirement provided: <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	N/A No mechanical parking proposed.
		N/A
		N/A

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Design standard 5: Urban design	Ground level car parking, garage doors and accessways must not visually dominate public space.	✓ Standard met
	Car parking within buildings (including visible portions of partly sub-merged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	✓ Standard met
	Design of car parks must take into account their use as entry points to the site.	✓ Standard met
	Design of new internal streets in developments must maximise on street parking opportunities.	✓ Standard met
Design standard 6: Safety	Car parking must be well lit and clearly signed.	✓ Standard met
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Standard met
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met
	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.	✓ Standard met
Design standard 7: Landscaping	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	✓ Standard met
	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.	✓ Standard met
	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.	✓ Standard met

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

STATUTORY PLANNING APPLICATIONS

**Town Planning Application - No. 2& No. 4 Luxford Court, Springvale
(Planning Application PLN21/0663)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 22 (including cover)

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

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

Clause 55.02-1 Neighbourhood character objectives

Standard B1	The design response must be appropriate to the neighbourhood and the site.	<p>✓ Standard met</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 and rendered first floor 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>	✓ Standard met
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>	

Clause 55.02-2 Residential policy objectives

Standard B2	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 SPPF and the LPPF, including the MSS and local planning policies.	<p>✓ Standard met</p> <p>The application was accompanied by a written assessment of the proposal against the relevant PPF and Local Policies</p>
Decision Guidelines	<p>The SPPF and the LPPF including the MSS and local planning policies.</p> <p>The design response.</p>	
Objectives	<p>To ensure that residential development is provided in accordance with any policy for housing in the SPPF and the LPPF, including the MSS and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public and community infrastructure and services.</p>	

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

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.02-3 Dwelling diversity objective

Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A Less than 10 dwellings proposed.
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	

Clause 55.02-4 Infrastructure objectives

Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	Standard met Development can be suitably accommodated into infrastructure of the established area.
	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	Standard met Development can be suitably accommodated into infrastructure of the established area.
	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.	Standard met Development can be suitably accommodated into infrastructure of the established area.
Decision Guidelines	The capacity of the existing infrastructure. In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970. 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.	
Objectives	To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	

Clause 55.02-5 Integration with the street objective

Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Standard met Each dwelling is accessible by vehicles and pedestrians
	Developments should be oriented to front existing and proposed streets.	Standard met Dwelling 1 and 5 would face Luxford Court. The remaining units face the internal accessway.
	High fencing in front of dwellings should be avoided if practicable.	Standard met None proposed

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	Development next to existing public open space should be laid out to complement the open space.	N/A The site is not next to public open space.
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	
Clause 55.03-1 Street setback objective		
Standard B6	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. <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>RGZ & GRZ3: 5 metres or as per Table B1, whichever is the lesser. GRZ 1 & 2: 7.5 metres or as per Table B1, whichever is the lesser. NRZ: As per Table B1.</p>	<p>✓ Standard met</p> <p>The proposal would have a front setback from Luxford Court of 5m, consistent with the setback permitted by Schedule 3 to the General Residential Zone.</p>

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Table B1 Street setback			
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.	<p>If there is a building on the abutting allotment facing the front street, the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment and the site is not on a corner, 2 and 4 metres for other streets.</p>	<p>Front walls of new development fronting the side street or a corner lot 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 3 metres, whichever is the lesser.</p> <p>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.</p>	
Decision Guidelines	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.		
Objective	The value of retaining vegetation within the front setback.		
	To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.		

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.03-2 Building height objective

Standard B7	<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.</p> <p>RGZ: 13.5 metres <i>discretionary maximum</i> (refer Clause 32.07-8 for details)</p> <p>GRZ: 11 metres / 3 storeys <i>mandatory maximum</i> (refer Clause 32.08-9)</p> <p>NRZ: 9 metres / 2 storeys <i>mandatory maximum</i> (refer Clause 32.09-9)</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 or 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>✓ Standard met</p> <p>7.42m and two storeys</p>
Decision Guidelines	<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>	<p>N/A</p> <p>N/A</p>
Objective		

Clause 55.03-3 Site coverage objective

Standard B8	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>RGZ1: 70%</p> <p>RGZ2: 70%</p> <p>GRZ1: 60% (<i>none specified</i>)</p> <p>GRZ2: 60% (<i>none specified</i>)</p> <p>GRZ3: 70%</p> <p>NRZ1: 50%</p>	<p>✓ Standard met</p> <p>Maximum site coverage permitted: 70%. Provided is 573.3sqm and 48.42%</p>
Decision Guidelines	<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>	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	The site coverage of adjacent properties	
	The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.	
Objective	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	

Clause 55.03-4 Permeability and stormwater management objectives

Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>RGZ1: 20% RGZ2: 20% (none specified) GRZ1: 30% GRZ2: 20% (none specified) GRZ3: 20% (none specified) NRZ1: 40%</p> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> 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). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. 	<p>✓ Standard met</p> <p>Minimum permeability required: 20%. Pervious surfaces cover 422.8sqm or 35.71 %</p>
Decision Guidelines	<p>The design response.</p> <p>The capacity of the site to incorporate stormwater retention and reuse.</p> <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>	
Objectives	<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>	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.03-5 Energy efficiency objectives

Standard B10	Buildings should be: <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Sited and designed to ensure that the performance of existing rooftop solar energy systems 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. 	✓ Standard met
Decision Guidelines	Living areas and private open space should be located on the north side of the development, if practicable.	✓ Standard met
	Developments should be designed so that solar access to north-facing windows is maximised.	✓ Standard met
	The design response.	
	The size, orientation and slope of the lot.	
	The existing amount of solar access to abutting properties.	
Objectives	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	
Objectives	The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.	
	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.	

Clause 55.03-6 Open space objective

Standard B11	If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> Be substantially fronted by dwellings, where appropriate. Provide outlook for as many dwellings as practicable. Be designed to protect any natural features on the site. Be accessible and useable. 	NA No public or communal open space proposed on site
Decision Guidelines	Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies.	
Objective	The design response. To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.03-7 Safety objective

Standard B12	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.	<p>✓ Standard met The entry to each dwelling would be visible from Luxford Court or the accessway.</p> <p>✓ Standard met Planting along the shared accessways would be low ground cover plants which would not reduce visibility of the entrances of the dwellings.</p> <p>✓ Standard met High mounted sensor lights have been annotated adjacent or above each garage</p> <p>✓ Standard met Private spaces are delineated by fencing.</p>
Decision Guidelines Objectives	The design response. To ensure the layout of development provides for the safety and security of residents and property.	

Clause 55.03-8 Landscaping objectives

Standard B13	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <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>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>All schedules to all residential zones: <i>"70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</i></p>	<p>✓ Standard met Over 70% front setback provided for landscaping provision, with 4 canopy trees conditioned to be provided in front setback and the applicant has provided a suitable landscape plan demonstrating the proposal can sufficiently achieve required canopy tree planting in front setback and SPOS areas</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met</p>
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Guidelines	Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.
	The design response.
	The location and size of gardens and the predominant plant types in the neighbourhood.
	The health of any trees to be removed.
	Whether a tree was removed to gain a development advantage.
Objectives	To encourage development that respects the landscape character of the neighbourhood.
	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

Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <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>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>✓ Standard met Under 33% of street frontage taken up by accessways (27.27% of the frontage taken by width of accessways)</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>N/A</p> <p>✓ Standard met</p>
Decision Guidelines	<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>	
Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.03-10 Parking location objectives

Standard B15	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <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>✓ Standard met</p> <p>Garages & parking spaces would be located adjacent to the dwelling entries</p>
Decision Guidelines	The design response.	✓ Standard met
Objectives	<p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	

Clause 55.04-1 Side and rear setbacks objective

Standard B17	<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"> • At least the distance specified in a schedule to the zone, or <p>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</p> <ul style="list-style-type: none"> • 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. 	<p>✓ Standard met</p> <p>Detailed diagrams as shown on the elevational diagrams demonstrate full compliance with Standard B17 – Side & Rear setbacks.</p>
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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	<p>Diagram B1 Side and rear setbacks</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 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>Decision Guidelines</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>Objectives</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>	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.04-2 Walls on boundaries objective

Standard B18	<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"> For a length of more than the distance specified in the schedule to the zone; or If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an adjoining lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <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>✓ Standard met</p> <p>Both the north and south walls on boundary have less than a 3.2m average wall height with no part exceeding 3.6m in height. Both of these are also under the permitted wall on boundary length.</p>
	<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>✓ Standard met</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>✓ Standard met</p>
Decision Guidelines	<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>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>	
Objectives		

Clause 55.04-3 Daylight to existing windows objective

Standard B19	<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</p>	<p>✓ Standard met</p> <p>The proposed dwellings is well setback from existing habitable room windows</p>
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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	<p>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>Diagram B2 Daylight to existing windows</p>	<p>Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p>
<p>Decision Guidelines</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>Objective</p>		
<p>Clause 55.04-4 North-facing windows objective</p> <p>Standard B20</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>Existing north-facing windows within 3m of proposed dwellings.</p>

<p>Diagram B3 North-facing windows</p> <p>NORTH FACING HABITABLE ROOM WINDOW</p> <p>SOUTH BOUNDARY</p> <p>Applies where existing HREW is between 20° west and 50° east from north</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>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p> <p>The impact on the amenity of existing dwellings.</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>Decision Guidelines</p>	<p>Objective</p>
<p>Clause 55.04-5 Overshadowing open space objective</p> <p>Standard B21</p>	<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>Standard met</p> <p>The proposed development has provided reasonable setbacks from neighbouring dwellings to the sides, which indicates minor overshadowing will occur. The applicant has provided overshadowing diagrams to indicate full compliance with this standard.</p>		

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	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.	✓ Standard met
Decision Guidelines	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.	
Objective	The effect of a reduction in sunlight on the existing use of the existing secluded private open space.	
	To ensure buildings do not significantly overshadow existing secluded private open space.	

Clause 55.04-6 Overlooking objective

Standard B22	<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>Diagram B4 Overlooking open space</p>	<p>✓ Standard met</p> <p>All windows and balconies with the potential to overlook have either been raised to 1.7m above F.F.L or screened in accordance with Standard B22.</p> <p>The proposed boundary fencing has been proposed 1.8m high.</p>
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2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	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: <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	✓ Standard met
	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.	✓ Standard met
	Screens used to obscure a view should be: <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. 	✓ Standard met
	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.	✓ Standard met
Decision Guidelines	The design response.	
	The impact on the amenity of the secluded private open space or habitable room window.	
	The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.	
	The internal daylight to and amenity of the proposed dwelling or residential building.	
Objective	To limit views into existing secluded private open space and habitable room windows.	

Clause 55.04-7 Internal views objective

Standard B23	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.	✓ Standard met There would be no internal overlooking.
Decision Guidelines	The design response.	
Objective	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.04-8 Noise impacts objectives

Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	✓ Standard met No noise sources apparent
	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.	✓ Standard met No noise sources apparent.
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	✓ Standard met The site does not adjoin busy roads, railway lines or industry.
Decision Guidelines	The design response.	
Objectives	To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	

Clause 55.05-1 Accessibility objective

Standard B25	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.	✓ Standard met
Objective	To encourage the consideration of the needs of people with limited mobility in the design of developments.	

Clause 55.05-2 Dwelling entry objective

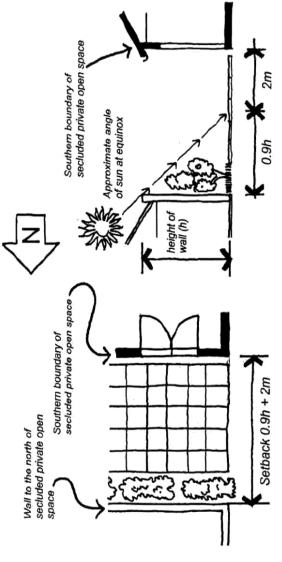
Standard B26	Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	✓ Standard met All dwelling entries visible from the street or internal common accessway.
Objective	To provide each dwelling or residential building with its own sense of identity.	

Clause 55.05-3 Daylight to new windows objective

Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> • 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 • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	✓ Standard met Each habitable room window would face an outdoor space.
Decision Guidelines	The design response. Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	

Clause 55.05-4 Private open space objective		<div>✓ Standard met</div> <div>The proposal is fully compliant with Standard B28 – Private open space as per the below table:</div> <table><tr><th></th><th>Ground SPOS</th><th>level</th><th>Total POS</th></tr><tr><td>D1</td><td>25sqm</td><td></td><td>89.6sqm</td></tr><tr><td>D2</td><td>26sqm</td><td></td><td>40sqm</td></tr><tr><td>D3</td><td>26sqm</td><td></td><td>40.2sqm</td></tr><tr><td>D4</td><td>29.7sqm</td><td></td><td>110.5sqm</td></tr><tr><td>D5</td><td>25.1sqm</td><td></td><td>77.5sqm</td></tr><tr><td>D6</td><td>25.4sqm</td><td></td><td>41.1sqm</td></tr><tr><td>D7</td><td>25.4sqm</td><td></td><td>41.2sqm</td></tr><tr><td>D8</td><td>25.9sqm</td><td></td><td>52.3sqm</td></tr></table>		Ground SPOS	level	Total POS	D1	25sqm		89.6sqm	D2	26sqm		40sqm	D3	26sqm		40.2sqm	D4	29.7sqm		110.5sqm	D5	25.1sqm		77.5sqm	D6	25.4sqm		41.1sqm	D7	25.4sqm		41.2sqm	D8	25.9sqm		52.3sqm
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D8	25.9sqm		52.3sqm																																			
Standard B28	<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><u>RGZ1:</u> None specified</p> <p><u>RGZ2:</u> "As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from a living room."</p> <p><u>GRZ1:</u> "An area of 50 square metres of ground level, private open space, with an area 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 or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p><u>GRZ2:</u> "As per the B28 40 sq m requirement, with the 25 sq m of secluded private open space at ground level having a minimum dimension of 5 metres; or</p> <p>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p><u>GRZ3:</u> "As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p><u>NRZ1:</u> "An area of 60 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 40 square metres with a minimum dimension of 5 metres and convenient access from a living room; or A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p>																																					
Decision Guidelines	<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">• 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• A balcony of 8 square metres with a minimum width of 1.6 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. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>																																					
	The design response.																																					
	The usability of the private open space, including its size and accessibility.																																					
	The availability of and access to public or communal open space.																																					
	The orientation of the lot to the street and the sun.																																					

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Objective	To provide adequate private open space for the reasonable recreation and service needs of residents.	
Clause 55.05-5 Solar access to open space objective		
Standard B29	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</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 $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p> 	<p>✓ Standard met SPOS areas are orientated to the north and west of the proposed dwellings, except Dwelling 7 and 8. These dwellings are also provided with north facing balconies, this is therefore considered acceptable.</p> <p>✓ Standard met</p>
Decision Guidelines	<p>The design response.</p> <p>The usability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.	
Clause 55.05-6 Storage objective		
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Each dwelling provided with a minimum 6 cubic metres of external storage in the form of a storage shed or a storage area accessible from the garage.
Objective	To provide adequate storage facilities for each dwelling.	

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

Clause 55.06-1 Design detail objective

Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Veranda/s, eaves and parapets, <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>✓ Standard met</p> <p>The proposal offers a respectful design that is in the preferred neighbourhood character.</p>
Decision Guidelines	<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>✓ Standard met</p>
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.	

Clause 55.06-2 Front fences objective

Standard B32	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.	✓ Standard met No front fence proposed					
	<p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none">• The maximum height specified in a schedule to the zone, or <p><i>All schedules to all residential zones:</i></p> <p><i>"Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets"</i></p> <ul style="list-style-type: none">• If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table><tr><th>Street Context</th><th>Maximum front fence height</th></tr><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></table>	Street Context	Maximum front fence height	Streets in a Transport Zone 2	2 metres	Other streets	1.5 metres
Street Context	Maximum front fence height						
Streets in a Transport Zone 2	2 metres						
Other streets	1.5 metres						
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.						
	The design response.						
	The setback, height and appearance of front fences on adjacent properties.						

2.3.1 Town Planning Application - No. 2 & No. 4 Luxford Court, Springvale (Planning Application PLN21/0663) (Cont.)

	The extent to which slope and retaining walls reduce the effective height of the front fence.	
	Whether the fence is needed to minimise noise intrusion.	
Objective	To encourage front fence design that respects the existing or preferred neighbourhood character.	

Clause 55.06-3 Common property objectives

Standard B33	Developments should clearly delineate public, communal and private areas.	✓ Standard met Appropriate fencing has been including to delineate private areas.
	Common property, where provided, should be functional and capable of efficient management.	✓ Standard met
Objectives	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.	

Clause 55.06-4 Site services objectives

Standard B34	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.	✓ Standard met
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	✓ Standard met
	Bin and recycling enclosures should be located for convenient access by residents.	✓ Standard met
	Mailboxes should be provided and located for convenient access as required by Australia Post.	✓ Standard met
Decision Guidelines	The design response.	
Objectives	To ensure that site services can be installed and easily maintained.	
	To ensure that site facilities are accessible, adequate and attractive.	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674)

File Id:	152240
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	John Richard, JRichard Designs
Proposal:	Development of the land for four (4) double storey dwellings
Zone:	General Residential Zone, Schedule 1
Overlay:	Not applicable
Ward:	Springvale North

The application has been brought before the Council because it has received four (4) 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 (GRZ) of the Greater Dandenong Planning Scheme to construct two 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. Four (4) objections were received to the application. Issues raised generally relate to matters of:

- Privacy / Overlooking windows
- Noise impacts
- Removal of vegetation
- Neighbourhood character
- Visual bulk
- Overshadowing

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- Traffic and on street parking impacts
- Boundary fencing

Assessment Summary

The proposal has been assessed against the relevant requirements of the Greater Dandenong Planning Scheme and is considered appropriate for the site. The subject site is well suited for a medium density development given the location within close proximity to the main roads of Princes Highway and Corrigan Road.

The development is considered to be respectful of the existing and preferred neighbourhood character by providing sufficient setbacks from the side and rear boundaries to allow for reasonable landscaping to occur. The well articulated, staggered first floor footprints provided to the rear of the site reduce the building bulk and protect adjoining sensitive interfaces. Additionally, the substantial separation provided between each dwelling at first floor lessens the visual appearance of the double storey form when viewed from the streetscape and adjoining residential properties.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Subject Site and Surrounds

Subject Site

The subject site is a rectangular shaped allotment located on the western side of Nockolds Crescent within a residential area of Noble Park.

- The lot has a frontage of 20.12 metres connecting to Nockolds Crescent, a depth of 48.77 metres and an overall a site area of 981 square metres.
- The subject site contains a single storey dwelling with a connected garage and wall along the northern side boundary. The existing dwelling has a front setback of 8 metres from Nockolds Crescent.
- Access to the site is via a single width crossover to the eastern frontage.
- The subject site slopes away from Nockolds Crescent with the lowest point provided at the western rear.
- The site has scattered, non significant vegetation present to the front and rear of the existing dwelling.
- A 1.83 metre wide drainage and sewerage easement is present on site along the western rear boundary.

Surrounding Area

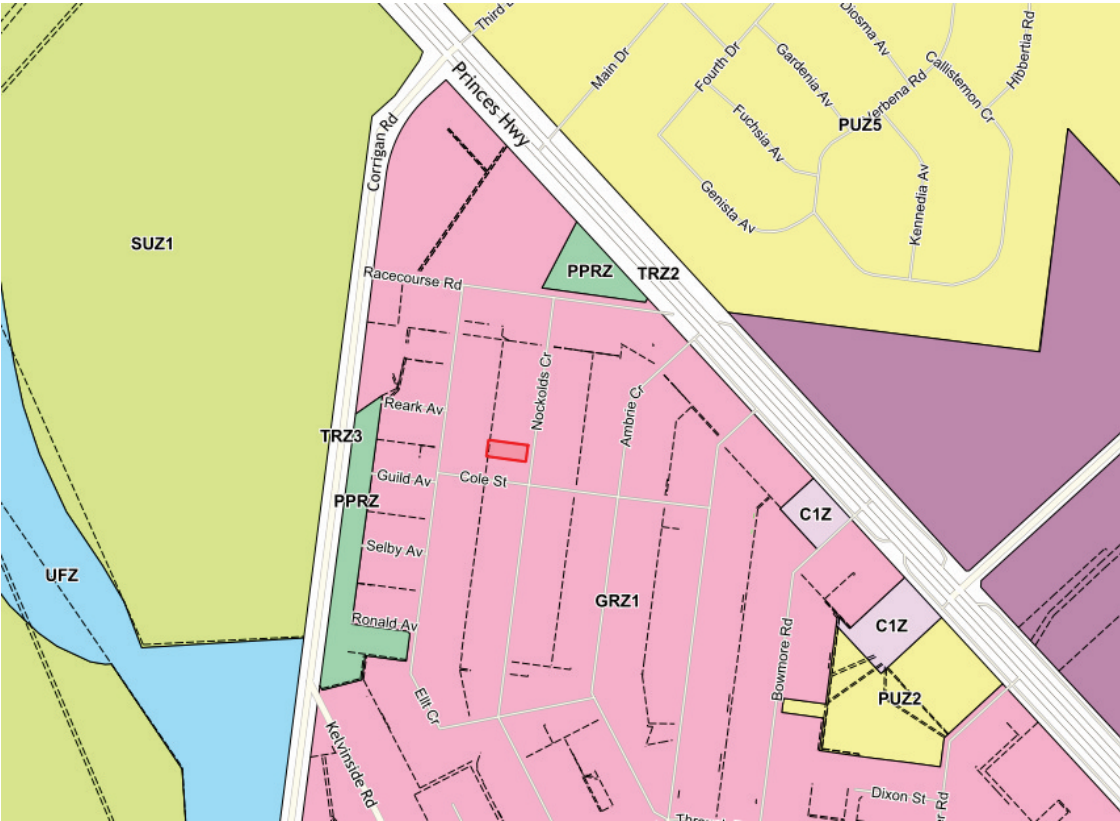
- The surrounding land within Nockolds Crescent and adjoining streets to the east and west are zoned General Residential Zone - Schedule 1. Existing development within the immediate area consists of a mixture of single and double storey dwellings with older housing stock slowly being replaced with multi-dwelling developments, predominantly double storey in height.
- An electricity pole is located central at the eastern front of the site within the nature strip.
- Nockolds Crescent runs north to south connecting to Racecourse Road at the northern end and Ellt Crescent to the south.
- The Noble Park Activity Centre is located approximately 1,200 metres to the south, as the crow flies.
- The following residential properties abut the site;
 - To the northern side boundary, the site adjoins two single storey dwellings with areas of secluded private space and car parking to the sides and rears of dwellings;
 - To the southern side boundary, the site abuts a single storey detached dwelling to the corner of Nockolds Crescent and Cole Street;
 - To the western rear boundary, the subject site adjoins three single storey dwellings with attached garages to the sides and rears and areas of secluded private open space along the northern side boundary.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Locality Plan



2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



Background

Previous Applications

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

Proposal

The application proposes the development of four (4) double storey dwellings and associated works.

The dwellings are sited in a court-bowl configuration with a single width crossover and accessway running through the centre of the site, connecting to dwellings one and four along the northern boundary and dwellings two and three along the southern boundary. Each dwelling is detached with no connected built form at ground or first floor.

At ground floor, each dwelling contains an entry, one (1) bedroom, an ensuite, bathroom, laundry and an open living / kitchen / dining area. At first floor each dwelling contains a further three (3) bedrooms for a total of four (4) bedrooms per dwelling, and either two or three bathrooms / ensuite.

The details of the proposal are as follows:

Type of proposal	Multi dwellings
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2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Number of dwellings	Four (4)
Levels	All double storey
Height	The proposed development would have a maximum building height of 8.206 metres.
Orientated to	Nockolds Crescent
External materials	Render cladding, weatherboard and brick exterior
Minimum setbacks (<i>encompasses all dwellings</i>)	North: garage 1 and 4 wall on boundary, dwellings setback 1 metre South: garage 2 and 3 wall on boundary, dwellings setback 1 metre East (frontage): 7.5 metres West (rear): 5.076 metres
Open space type	<u>Dwelling one (1)</u> A total area of 111 square metres of private open space consisting of a minimum area of 35 square metres to the rear with a minimum dimension of 5 metres and convenient access from a living room <u>Dwelling two (2)</u> A total area of 111 square metres of private open space consisting of a minimum area of 35 square metres to the rear with a minimum dimension of 5 metres and convenient access from a living room <u>Dwelling three (3)</u> A total area of 64 square metres of private open space consisting of a minimum area of 50 square metres to the rear of the dwelling with a minimum dimension of 5 metres and convenient access from a living room <u>Dwelling four (4)</u> A total area of 64 square metres of private open space consisting of a minimum area of 50 square metres to the rear of the dwelling with a minimum dimension of 5 metres and convenient access from a living room
Number of Car parking Spaces provided	A total of eight (8) car parking spaces provided

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Number of Car parking Spaces required	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. A total of eight (8) car parking spaces are required in the form of a double car garage per dwelling. The number of car spaces provided complies with Clause 52.06 (Car parking).
Type of car parking	A double garage is provided to each dwelling to the centre of the site
Access	Access is provided via a new crossover and accessway to the centre of the site.
Front Fence	No front fence is proposed.
Garden area required	Site area is 981 sqm = 343.35 sqm or 35% required 358 sqm or 36.6% provided The proposal complies with the minimum garden area requirement to Clause 32.08-4.

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:

- Pursuant to Clause 32.08-6 to construct two or more dwellings on a lot.

The relevant controls and policies are as follows:

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Zoning Controls

The subject site is located in a General Residential Zone, Schedule 1, as is the surrounding area.

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.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

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:

- *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 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).*

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- *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

- *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.*
- *Respecting 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.*

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

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.*
- *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:

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- *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;*
 - *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 provides design principles to sites within the Incremental Change Areas (General Residential Zones).

It is policy to:

- *Ensure that new development respects the neighbourhood character of the area and considers the identified future character.*
- *Provide a transition in built form and density at the interface with the Substantial Change areas (zoned RGZ) or Activity Centres (zoned Commercial/Mixed Use/Comprehensive Development Zone).*
- *Achieve a transition in built form from the Incremental Change areas (zoned GRZ) to the surrounding Limited Change areas (zoned NRZ).*

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- *Support future housing density at a lower intensity than in Substantial Change Areas, but a higher intensity than in Limited Change Areas.*
- *Encourage consolidation of allotments to increase development potential and achieve improved design outcomes.*
- *Apply the following Design Principles for all residential developments, in addition to those at Clause 22.09-3.1*

Particular Provisions

Car Parking (Clause 52.06)

The purposes of this provision, Clause 52.06, 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.*

The table at Clause 52.06-5 notes that a dwelling with one (1) or two (2) bedrooms requires one (1) car space and a dwelling with three (3) or more bedrooms require two (2) spaces to each dwelling. The site is not within the Principle Public Transport Network area map.

A total of eight (8) car parking spaces are required.

The proposal would provide two (2) car parking spaces to each dwelling given more than three (3) bedrooms are provided for each.

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 (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.*

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

The purposes of this clause are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *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.*
- *Should meet all of the standards of this clause*

If a zone or a schedule to a zone specified 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.

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

Restrictive Covenant 2027803 is registered to the provided copy of Title and applies to the land.

The covenant restricts the excavation of the land and the removal of any earth, stone, clay, gravel or sand except for the purpose of excavating for the foundation of any building. The restriction also prohibits the manufacturing or winning of brick, tiles or pottery ware.

The proposed development does not breach the restriction.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

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 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 will be considered in the assessment of the application.

Department	Response
Asset Planning	No objections, subject to conditions on permit.
Civil Development	No objections, subject to conditions on permit
Transport Planning	No objections, subject to conditions on permit
ESD / Sustainability	No objections, subject to conditions on permit

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 Nockolds Crescent

The notification has been carried out correctly.

Council has received four (4) objections to date.

The location of the objectors is shown in Attachment 2.

Consultation

A consultative meeting was not held due to the restrictions associated with the COVID-19 pandemic.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Summary of Grounds of Submissions/Objections

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

- **Privacy / Overlooking**

The test for overlooking is set by Clause 55.04-6 (Overlooking objective) Standard B22. The standard requires habitable room windows, balconies, terraces, decks or patios, to be designed to avoid direct views into existing/adjoining secluded private open space areas (SPOS) and existing habitable room windows.

A full assessment has been conducted confirming that the proposal complies with these requirements. All first floor habitable windows facing the northern, southern and western side and rear boundaries have been appropriately screened or highlighted to at least 1.7 metres above finished floor level to prevent views. Furthermore, the ground floor north facing windows have been provided with a 0.9 metre high trellis above the 1.6 metre high boundary fence to prevent views, given the finished floor levels are greater than 0.8 metres above natural ground level.

The proposal complies with the standard requirements and objective.

- **Noise Impacts**

Residential noise is regulated by The Environment Protection (Residential Noise) Regulations 2018.

- **Removal of vegetation**

An objector raised concerns at the number of trees proposed to be removed to facilitate the development. The trees present on site are not native or significant and do not require a planning permit for the removal. A complete landscaping plan has been submitted with the application documents demonstrating substantial landscaping planting to the front, side and rear boundaries of the development including the planting of at least one (1) canopy tree within each front yard and within each rear area of secluded private open space.

- **Neighbourhood Character**

A concern was raised that the proposed development was not in keeping with the existing neighbourhood character. A full assessment of the proposal has been conducted against Clause 55.01-1 (Neighbourhood Character) and Clause 22.09 (Residential Development and Neighbourhood Character).

It is considered that the proposal has provided a well designed development, with suitable separation between dwellings and well considered setbacks at ground and first floors to allow for substantial landscaping for character and screening of the built form. The proposal directly corresponds with a number of developments within close proximity, for example, No. 34 Ambrie Crescent, which has the same configuration and suitably sized double storey built form.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Furthermore, the proposal has designed car parking spaces to the rear of dwellings one and two for suitable landscaping within the front setback and has proposed a variation of colours and materials at each level with pitched roof forms. The proposed development is considered to directly correspond with the existing character and the preferred character envisaged for sites within Incremental Change Areas to Clause 22.09 of the Greater Dandenong Planning Scheme.

- **Visual bulk**

The size and scale of the development is consistent with the preferred neighbourhood character set out in Clause 22.09 and complies with objectives of Clause 55 (two or more dwellings and residential buildings) of the Greater Dandenong Planning Scheme (see Clause 22.09 and Clause 55 assessments below).

- **Overshadowing**

The test for Overshadowing is set by Clause 55.04-5 (Overshadowing open space objectives) Standard B21. The proposed development has provided reasonable setbacks from neighbouring dwellings to the sides and rear. No significant overshadowing of neighbouring secluded private open spaces will occur. The applicant has provided overshadowing diagrams that demonstrate compliance with this standard.

- **Traffic and on street parking impacts**

The proposal complies with Clause 52.06 (Car parking) of the Greater Dandenong Planning Scheme. Clause 52.06 requires eight (8) car parking spaces, and eight (8) have been provided. Access to the site is considered reasonable, providing one crossover with visibility lines for safe entry and exit of the site while retaining the existing level of on street parking.

The proposal was referred to Council's Traffic Engineers who raised no concern with respect to on-street parking, traffic from the proposed development, congestion or the like.

- **Boundary fencing**

An objector has raised concerns at the proposed low heights of boundary fencing to the northern and western boundaries of the subject site. The applicant has proposed additional heights to both of these boundaries in questions in the form of a trellis, to further prevent overlooking impacts. However, this detail is only specified on the elevation and not provided on the ground floor plan or landscaping plan. A condition is required to be included to the permit to ensure all fencing details are shown appropriately for consistency.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

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.

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.

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 No. 34 Ambrie Crescent (100 metres to the southwest) which contains four (4) double storey dwellings and at 39 Ellt Crescent (40 metres southeast) which contain six (6) 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:

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Design Principles for all residential developments

Bulk and Built form

Relevant Design Principles:

Residential development should:

- *ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;*
- *be well articulated through the use of contrast, texture, variation in forms, materials and colours.*

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.*

It is considered that the proposed construction of dwellings three and four in a double storey format to the rear of the site is an acceptable inclusion in this instance. Firstly, the development has setback the first floors of dwellings three and four at least 5 metres from the rearmost boundary to reduce the visual impact from the rear. The well articulated, staggered design provided with substantial separation at the first floors have reduced the building bulk and visual impact from the directly adjoining sensitive interfaces. It is considered that overall, the first floor footprints have been well designed and sited.

The adjoining sites to the north, northwest and west all have their areas of secluded private open space situated away from the common boundary to the subject site, with an existing built form presence along each boundary in the form of garages and dwelling walls.

The site to the south has been recently approved (02/06/2022) for the development of the land for five double storey dwellings. The inclusion of double storey dwellings to the rear will directly correspond with the approved development.

Furthermore, the development does not have any overlooking or overshadowing concerns identified to Clause 55 and has provided suitable setbacks at ground level to accommodate for screen planting.

Safety

Relevant Design Principles:

To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:

- *Incorporate active frontages including ground floor habitable room windows.*
- *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.*

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- *Use semi-transparent fences to the street frontage.*
- *Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.*
- *Ensure that all main entrances are visible and easily identifiable from the street.*
- *Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.*

The ground floor plan has failed to demonstrate compliance as the development fails to provide appropriate external lighting to communal spaces including main entrances and car parking areas with high mounted sensor lights. A condition is required to be included on the permit to provide sensor lighting to all porch structures and garages for compliance.

Internal Amenity

Relevant Design Principle

Residential development should:

- *Ensure that dwelling layouts have connectivity between the main living area and private open space.*
- *Be designed to avoid reliance on borrowed light to habitable rooms.*
- *Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.*
- *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.*

The internal amenity provided to dwellings one (1) and two (2) are not suitably sized to accommodate the number of residents for a four (4) bedroom dwelling. The kitchen / living / dining spaces, inclusive of the kitchen counters, are a proposed 6.5 metres by 4.7 metres, which in comparison, is less than the size of a double car garage.

It is considered that a condition (Condition 1.3) is required to be included to increase these areas for better internal amenity for the useability of future residents. This can be accomplished with the deletion of the ground floor WC, particularly given there are a further three (3) bathrooms / ensuite provided at the first floor.

The proposal complies with all other design principles of Clause 22.09. An assessment is attached to this report at Attachment 3.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

The site is not 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 eight (8) car parking spaces are required for this proposal.

The proposal would provide two (2) car spaces to each three-bedroom dwelling with at least one (1) under cover car space, with a total of eight (8) spaces being provided.

No visitor car space is required or provided.

The number of car spaces provided complies with Clause 52.06 (Car parking).

The proposal complies with the Design Standard of Clause 52.06-9, except in the following instances:

Design Standard 1 – Accessways and Design Standard 2 – Car Parking Spaces

The double garages provided to each dwelling have included the external storage provisions and bicycle parking to the ends of the spaces, inclusive in the minimum 6 metre dimension required under the standard. This is noted as being ‘above bonnet storage’ on the provided plans. A cross section diagram is required to be provided via permit conditions (Condition 1.2) to ensure the considered design standards are met for appropriately sized car parking spaces, clear of all obstructions.

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

The proposal is generally consistent with all relevant standards and objectives to the particular provision as detailed in Attachment 5, with the exception of the following:

Standard B23 Internal Views

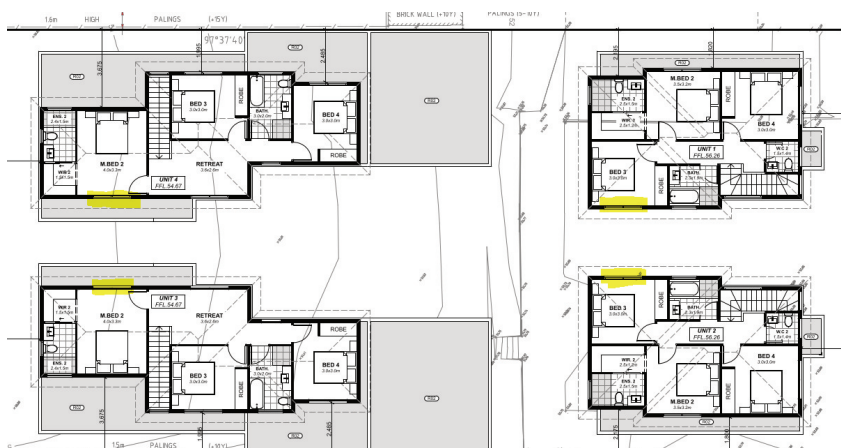
Objective:

- *To limit view into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.*

The south facing first floor bedroom 2 window to dwelling four and bedroom 3 window to dwelling 1 can currently look directly into the bedroom 2 window of dwelling 3 and bedroom 3 window of dwelling 2. 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.

Applicable windows are highlighted below:

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



It is considered that screening or obscuring can be provided via a permit condition to ensure no internal views are possible (see Condition 1.5).

A Clause 55 Assessment is attached to this report at Attachment 5.

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 58% 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:

- Remove the specification for solar hot water pre-heating panels, and replacement with solar photovoltaic panels if feasible. Any solar panels must be spatially depicted on the town planning drawings.
- Incorporation of an operable door that separates the kitchen/living room from the entry passageway of units 1 and 2.
- Any other changes associated with the revised Sustainable Design Assessment with Condition 5.

BESS Information Summary	Project Overall Score: 58%		
	Fail	Best Practice	Design Excellence
	(<49%)	(50-69%)	(>70%)
Dwelling Type: Non-residential			

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

BESS Category	Score	Initiatives
Management	33%	Requires update
		Preliminary energy efficiency NatHERS rating undertaken
Water	50%	Requires update
		Rainwater tank capacity of 3,000L per dwelling connected to:
		Landscape irrigation, Toilet flushing
		High WELS star rated water fittings, fixtures and appliances
		Potable water consumption reduced by 30% compared to same building following minimum standards.
Energy	50%	Requires update
		Preliminary energy (NatHERS) rating undertaken which achieves 6.3 star energy rating average across all dwellings
		Heating and cooling systems specified as 4-star energy rated
		High efficiency gas instantaneous hot water system specified
		Estimated greenhouse gas emissions reduced by over 73% compared to compared to same building following minimum standards
Stormwater	100%	
		Stormwater design meets industry best practice requirements though incorporation of rainwater collection and permeable driveway.
Indoor Environment Quality	80%	Requires update
		Design promotes cross ventilation to all dwellings (to be confirmed)
		All dwelling living areas orientated to the north
		Double glazing to all habitable room windows.
Transport	100%	Requires update

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

		Space for bicycle parking in each dwelling garage/p.o.s storage
Waste	0%	
Urban Ecology	50%	Requires update
		Over 30% of site is permeable and landscapable.

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.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 44 Nockolds Crescent Noble Park (Lot 154 PS 016947), for the 'development of the land for four (4) double storey dwellings, in accordance with the plans submitted with the application 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. Sensor lighting to be provided to each dwelling entrance and garage**
 - 1.2. Cross section of the over bonnet storage and bicycle parking space provided for each double garage**
 - 1.3. Delete the ground floor WC to dwelling one (1) and dwelling two (2) with an increase to the kitchen / dining / living areas with all other changes absorbed within the approved building envelope**
 - 1.4. All boundary fencing details updated on the ground floor plan to reflect the proposed heights and materials including trellis' as detailed on the elevation plan**
 - 1.5. Obscuring measures to be provided in accordance with Standard B23 (Internal Views) to the following first floor windows:**
 - Dwelling 1 bed 3**
 - Dwelling 2 bed 3**

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- Dwelling 3 master bed 2
 - Dwelling 4 master bed 2
- 1.6. The maximum height of the driveway levels in front of the Unit 3 and 4 must be set no higher than 51.27m to AHD.
- 1.7. Remove the specification for solar hot water pre-heating panels, and replacement with solar photovoltaic panels if feasible. Any solar panels must be spatially depicted on the town planning drawings.
- 1.8. Incorporation of an operable door that separates the kitchen/living room from the entry passageway of units 1 and 2.
- 1.9. Any other changes associated with the revised Sustainable Design Assessment with Condition 5.
- 1.10. A landscape plan in accordance with Condition 2.

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

2. 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 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:
- 2.1. plans to accord with Condition 1 of this permit;
- 2.2. 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;
- 2.3. nature strip trees, easements and landscape setbacks;
- 2.4. details of the proposed layout, type and height of fencing;

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- 2.5. all screening structures and refuse collection locations;**
- 2.6. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
- 2.7. 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;**
- 2.8. any paving or deck areas within the secluded open space area of the proposed dwellings on a permeable base;**
- 2.9. 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;**
- 2.10. Substantial landscaping to the front of dwelling 1 and 2, including at least two (2) advanced native canopy trees with a planting height of 1.5 metres and shrubbery plantings;**

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.

- 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.**

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- 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 included in the SDA (prepared by Northern Environmental Design, ref 317T, dated 16 Feb 2022 but modified to include:**
- 5.1. Submission of a revised preliminary energy NatHERS ratings to units 1 and 2 based on the changes to the condition 1 plans.**
 - 5.2. Submission of the energy (NatHERS) rating certificates in the appendix of the SDA.**
 - 5.3. Revised BESS assessment that includes a revised energy section the revised energy performance inputs to dwellings 1 and 2**
 - 5.4. Revised BESS energy section based on the confirmed strategy for solar contribution to each dwelling.**
 - 5.5. Revised BESS assessment that removed IEQ credit 2.2**

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.

- 6. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 7. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**
- 8. 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.**
- 9. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- 10. 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.**
- 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**

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

- 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.

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 44 NOCKOLDS
CRESCENT, NOBLE PARK (PLANNING APPLICATION NO.
PLN21/0674)**

ATTACHMENT 1

ASSESSED PLANS

PAGES 12 (including cover)

DRAWINGS SCHEDULE	
COVER PAGE	
TP02	SITE & NEIGHBOURHOOD DESCRIPTION
TP03	DESIGN RESPONSE
TP04	GROUND FLOOR PLAN
TP05	FIRST FLOOR PLAN
TP06	ELEVATIONS
TP07	ELEVATIONS
TP08	SHADOW DIAGRAMS
TP09	SHADOW & OVERLOOKING DIAGRAMS
TP10	COLOR & MATERIAL SCHEDULE

TOWN PLANNING PERMIT APPLICATION
FOUR UNITS DEVELOPMENT
44 NOCKOLDS CRESCENT, NOBLE PARK 3174

TOWN PLANNING

COVER PAGE

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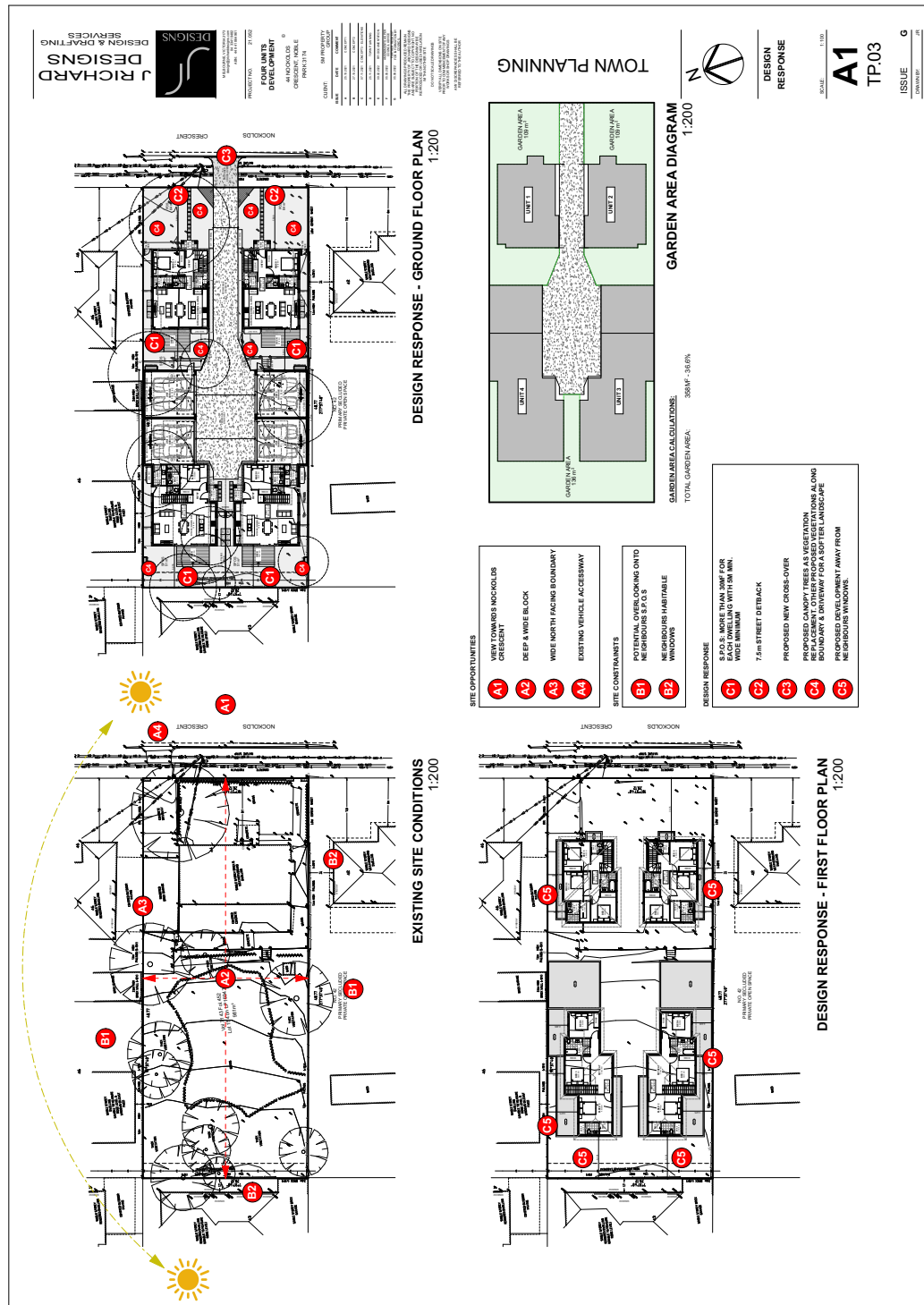
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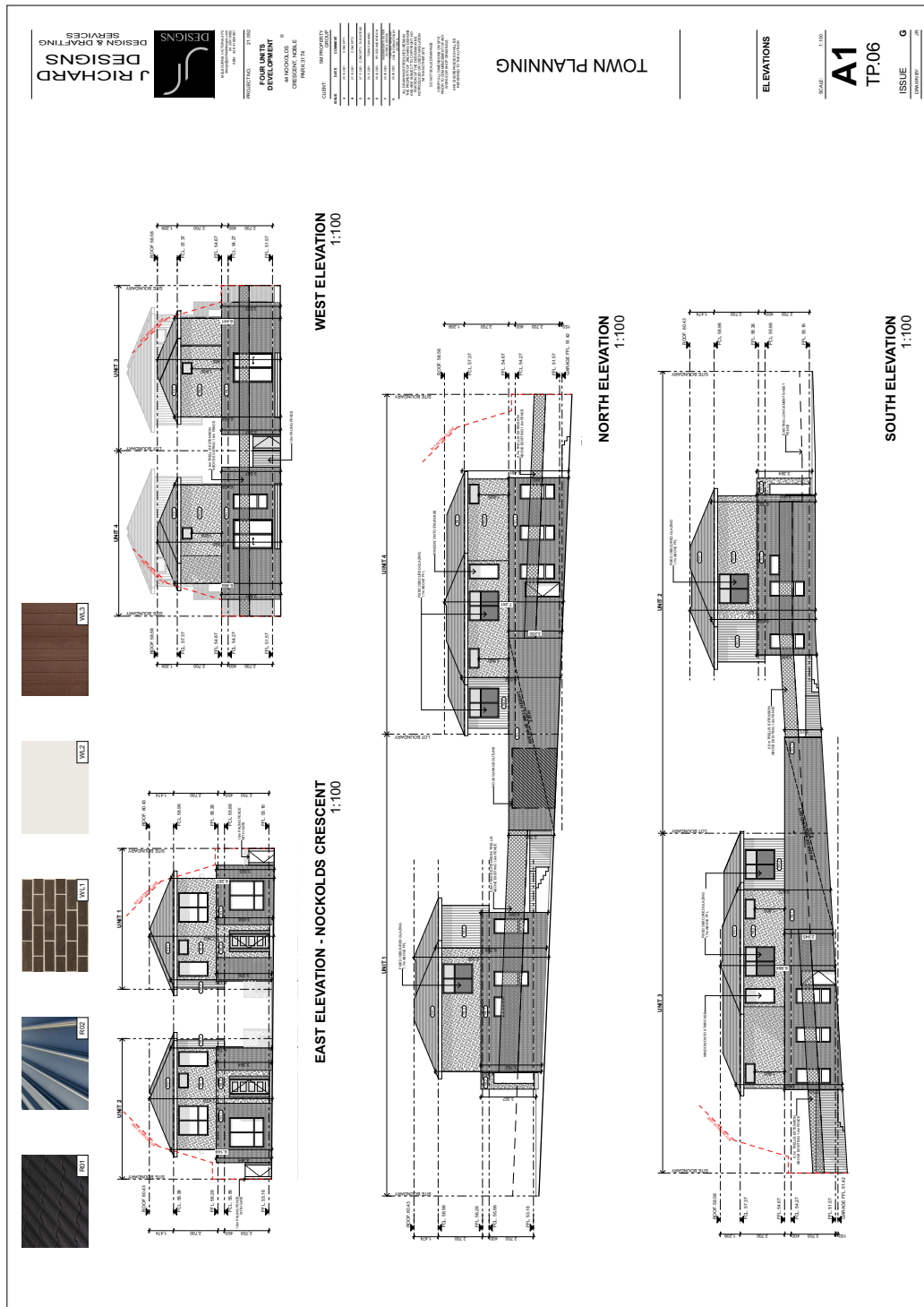
2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



130

131

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



**J RICHARD
DESIGNS
DESIGN & DRAFTING
SERVICES**



PROJECT NO.	21.052
FOUR UNITS DEVELOPMENT	
© 44 MCKENZIE CRESCENT, MOBILE PARK 3174	
CLIENT:	54 PROPERTY GROUP
DATE:	COMPLETED

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TOWN PLANNING



ELEVATIONS

SALE: 1100

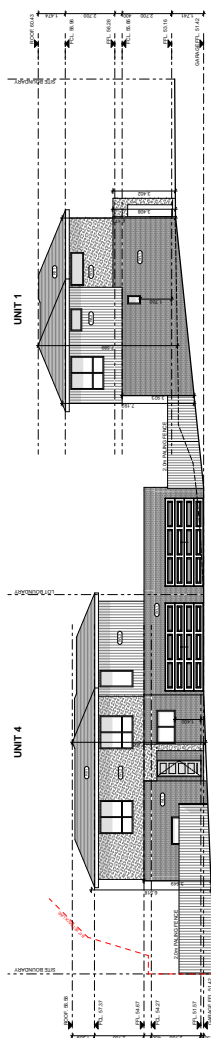
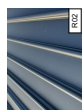
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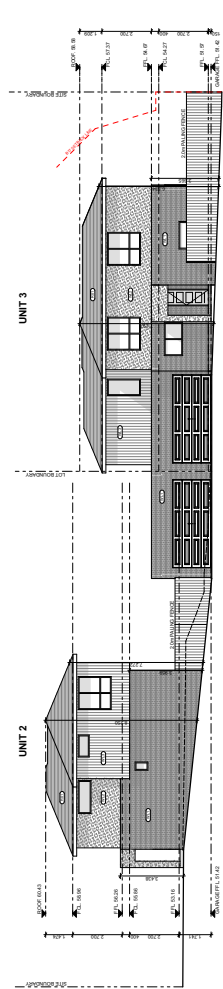
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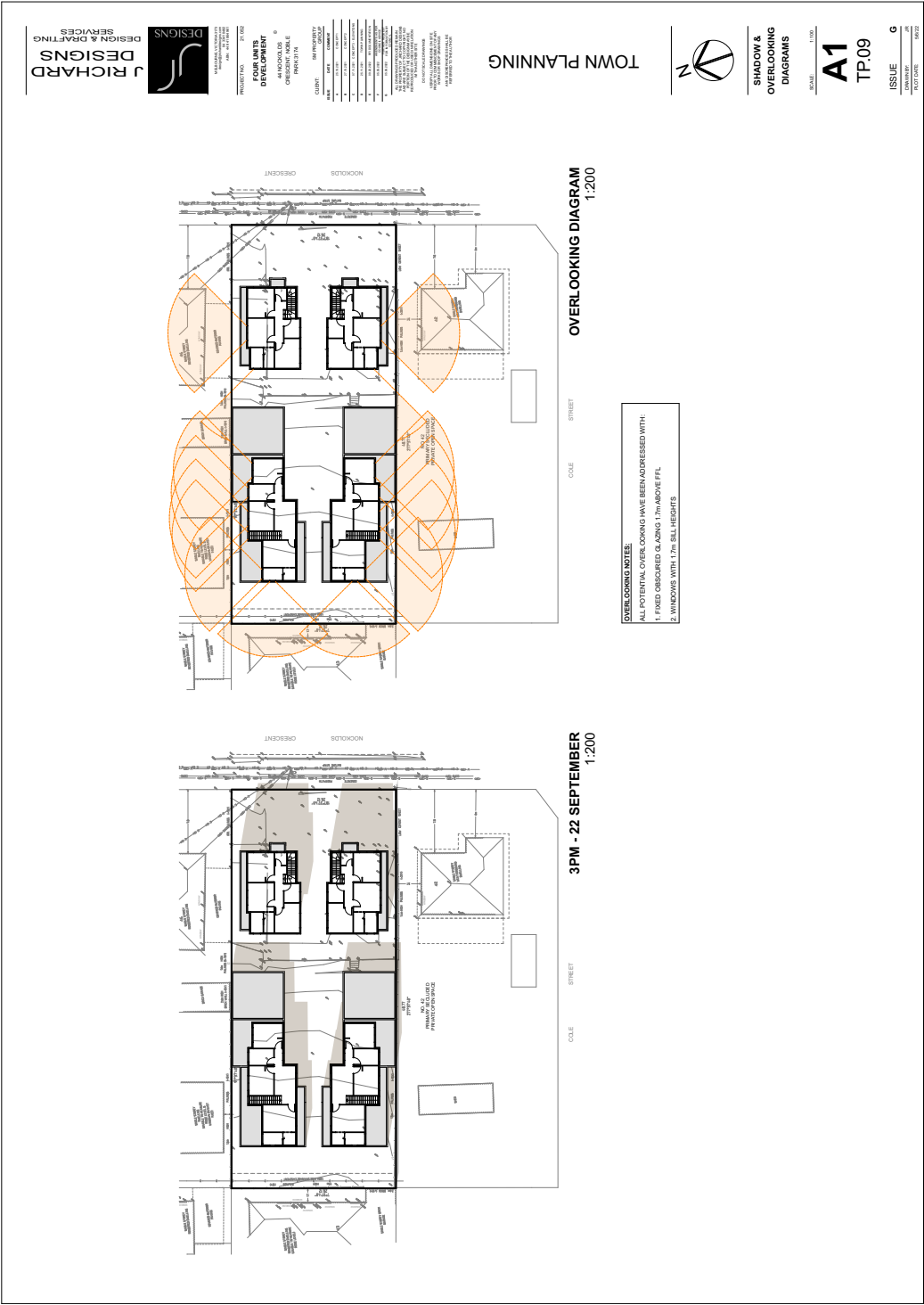


UNIT 1 & 4 - SOUTH ELEVATION
1:100













UNIT 2 & 3 - NORTH ELEVATION
1:100

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

MATERIAL & COLOUR SCHEDULE	
ROOF R01 - TILED ROOFING ROOF TILES	
R02 - METAL ROOFING	
WALL W1.1 - EXPOSED BRICK	
W1.2 - RENDERED FINISH	
W1.3 - FEATURE VERTICAL CLADDING	
WINDOWS FRAME - BLACK POWDER COATED FINISH FINISH	
CLEAR GLASS WINDOW	
GARAGE & CARPORT DOOR SECTIONAL GARAGE DOORS	
DRIVEWAY & FOOTPATHS CONCRETE DRIVEWAY	
	

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2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 44 NOCKOLDS CRESCENT,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0674)**

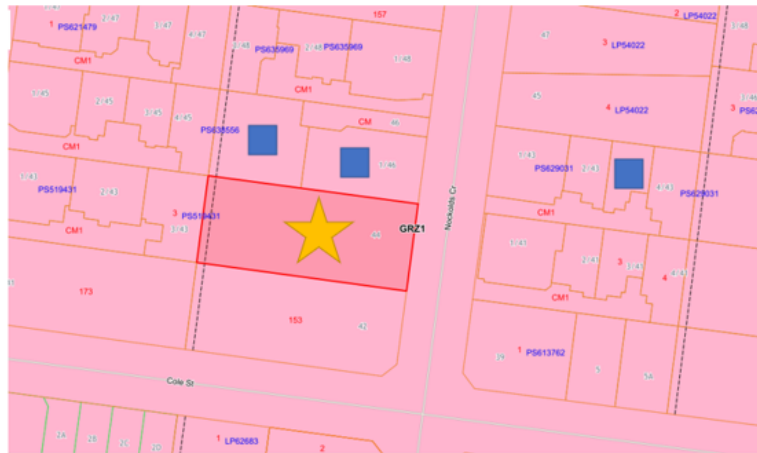
ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)



= Subject site



= Objector's locations

See above location of three objectors.

A fourth objection was received to the application located over 3,700 m away to the south of the subject site, as the crow flies.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 44 NOCKOLDS CRESCENT,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0674)**

ATTACHMENT 3

CLAUSE 22 ASSESSMENT

PAGES 9 (including cover)

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Assessment Table for Clause 22

Clause 22.09-3.1 Design Principles for all residential developments

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:	
	Incorporate active frontages including ground floor habitable room windows.	<p>✓ Principle met</p> <p>Habitable windows are provided for each dwelling to overlook the public realm, internal accessways and car parking spaces</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>✓ Principle met</p>
	Use semi-transparent fences to the street frontage.	<p>✓ Principle met</p> <p>No front fence proposed</p>
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	<p>✓ Principle met</p> <p>Sensor lighting provided via permit conditions</p>
	Ensure that all main entrances are visible and easily identifiable from the street.	<p>✓ Principle met</p> <p>Each entrance is easily identifiable from the street or internal accessway</p>
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ Principle met</p>
Landscaping	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>✓ Principle met</p> <p>As demonstrated on the provided landscape concept plan, suitable space is provided to the front, sides and rear of the site to accommodate for substantial landscaping and at least one canopy tree within each area of secluded private open space.</p>
	Provide substantial, high quality landscaping along vehicular accessways.	<p>✓ Principle met</p> <p>Suitable space is provided along dwellings one and two either side of the internal accessway for landscaping purposes</p>

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.	✓ Principle met Sufficient space is provided within each area of secluded private open space for at least one canopy tree
	Planting trees that are common to and perform well in the area.	✓ Principle met
	Avoid the removal of existing mature trees by incorporating their retention into the site design.	✓ Principle met
	Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.	✓ Principle met
	Ensure that landscaping also addresses the Safety Design Principles.	✓ Principle met
	Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	✓ Principle met
	Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.	✓ Principle met
	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	✓ Principle met
	The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.	✓ Principle met One crossover proposed along the 20.12 metre wide frontage
	On-site car parking should be: <ul style="list-style-type: none"> Well integrated into the design of the building, Generally hidden from view or appropriately screened where necessary, 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. 	✓ Principle met Car parking is integrated into the sides and rears of dwellings
Car parking	Where car parking is located within the front setback it should be: <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	NA
	Developments with basement car parking should consider flooding concerns where applicable.	NA
	Residential developments should:	
Setbacks, front		

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

boundary and width	Provide a front setback with fence design and height in keeping with the predominant street pattern.	✓ Principle met The front setback and design suitably corresponds with the surrounding character with one crossover, well set back dwellings, no front fence and suitable space for landscaping
	Maintain the apparent frontage width pattern.	✓ Principle met
	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.	✓ Principle met
	Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.	✓ Principle met
Private open space	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.	✓ Principle met Areas of private open space are suitably located connecting areas to the main ground floor living spaces
	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.	✓ Principle met Private open spaces can suitably accommodate site services to the sides and rears of dwellings
	Private open space should be positioned to maximise solar access.	✓ Principle met No area of secluded private open space is to the south of a wall, suitable solar access provided
	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.	✓ Principle met The upper floors of dwellings one and two encroach onto the rear secluded private open spaces by 0.4 metres. This is considered acceptable and will not impact on the solar access, useability or amenity of the areas.
Bulk & Built Form	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.	✓ Principle met
	All residential developments should respect the dominant façade pattern of the streetscape by: <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors, and verandahs, and Maintaining the proportion of wall space to windows and door openings. 	✓ Principle met The proposed design corresponds with the dominant façade pattern with pitched roof forms and well proportioned window to walls

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Site Design	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	NA No balconies proposed
	The development of new dwellings to the rear of existing retained dwellings is discouraged where: <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	NA The existing dwelling is to be demolished
	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by: <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	NA There are no heritage buildings adjacent
	Residential development should: <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p>	✓ Principle met The proposed development has provided a site responsive design with well considered first floor footprints, suitably separated reducing the building bulk and protecting the amenity of adjoining dwellings
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance	✓ Principle met The development has been designed to maximise thermal performance, utilising north, east and western facing windows where possible
	Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.	✓ Principle met The development has provided a minimum of 10 metres of separation between dwellings at first floor to the centre of the site and a minimum of 4 metres between dwellings at the rear to reduce the building bulk impacts to adjoining sites. The design has provided suitable recession to the first floor for dwellings three and four to the rear from the side interfaces and suitably positioned dwellings one and two along the streetscape.
	Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.	✓ Principle met

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	Provide suitable storage provisions for the management of operational waste	<p>✓ Principle met Suitable space is provided to the sides and rears of dwellings to accommodate for external storage provisions</p> <p>✓ Principle met</p>
	Appropriately located suitable facilities to encourage public transport use, cycling and walking.	
Materials & Finishes	Residential development should:	
	Use quality, durable building materials and finishes that are designed for residential purposes.	<p>✓ Principle met The development has provided external brick to the ground floors and a combination of render and weatherboard at first floor to break up the bulk</p>
	Avoid the use of commercial or industrial style building materials and finishes.	<p>✓ Principle met</p>
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces, and excessive repetitive use of materials.	<p>✓ Principle met</p>
	Use a consistent simple palette of materials, colours, finishes and architectural detailing.	<p>✓ Principle met</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>✓ Principle met</p>
Domestic services normal to a dwelling and Building services	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:	
	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>✓ Principle met Domestic services are provided along the internal accessway and within private open spaces to the sides and rears of dwellings, visually integrated into the design</p>
	Be designed to avoid the location of domestic and building services: <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met</p>
Internal Amenity	Residential development should:	

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	Ensure that dwelling layouts have connectivity between the main living area and private open space.	<p>✗ Principle not met</p> <p>Each ground level area of secluded private open space connects to a main ground floor living room</p> <p>The internal amenity provided to dwellings one (1) and two (2) are not suitably sized to accommodate the number of residents for a four (4) bedroom dwelling.</p> <p>The kitchen / living / dining spaces, inclusive of the kitchen counters, are a proposed 6.5 metres by 4.7 metres, which in comparison, is less than the size of a double car garage.</p> <p>It is considered that a condition is required to be included to be permit to increase these areas for better internal amenity for the useability of future residents.</p> <p>This can be accomplished with the deletion of the ground floor bathroom (WC), given there are a further three (3) bathrooms / ensuite provided at the first floor.</p>
	Be designed to avoid reliance on borrowed light to habitable rooms.	✓ Principle met
	Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.	NA No balconies proposed
	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.	✓ Principle met

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)

Standard (Summarised)		Standard Met/Standard Not Met/NA
Title & Objective		
Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	✓ Principle met The proposed four (4) dwelling development is considered to be medium density
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	✓ Principle met A maximum of two stories proposed
Landscaping	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	✓ Principle met Suitable space is provided along the front, sides and rears of dwellings for landscaping
Setbacks, front boundary and width	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.	✓ Principle met Car parking is located to the sides and rears of dwellings
Private open space	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.	✓ Principle met Private open spaces are to the rear of dwellings to prevent high screening
Bulk & Built Form	Residential development should:	
	Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;	✓ Principle met
	Provide separation between dwellings at the upper level;	✓ Principle met
	Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;	✓ Principle met
	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.	✓ Principle met The development has setback the first floors of dwellings three and four at least 5 metres from the rearmost boundary to reduce the double storey impact to the rear of the site.

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	<p>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 may be considered where:</p> <ul style="list-style-type: none"> • 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. 	<p>✓ Principle met</p> <p>The well articulated, staggered designs of the rear dwellings with substantial separation provided at the first floors have reduced the building bulk and visual impact from the sensitive interfaces. The first floor footprints have been well designed with suitable setbacks from the adjoining neighbouring properties.</p> <p>The adjoining sites to the north, northwest and west all have their areas of secluded private open space situated away from the common boundary to the subject site, with a built form presence along the boundary in the form of garages and dwelling walls.</p> <p>The site to the south has been recently approved (02/06/2022) for the development of the land for five double storey dwellings. It is considered that the inclusion of a double storey dwelling to the rear will directly correspond with the approved development.</p> <p>Additionally, the development does not have any overlooking or overshadowing concerns identified to Clause 55 and has provided suitable setbacks at ground level to accommodate for screen planting.</p>
	<p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met</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.

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 44 NOCKOLDS CRESCENT,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0674)**

ATTACHMENT 4

CLAUSE 52 ASSESSMENT

PAGES 6 (including cover)

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

**Assessment Table - Clause 52
Clause 52.06-9 Design standards for car parking**

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.

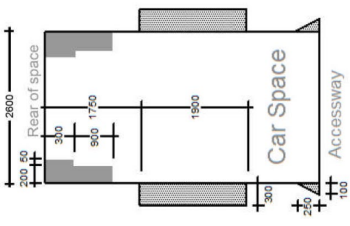
Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	Accessways must: <ul style="list-style-type: none"> Be at least 3 metres wide. 	✓ Standard met The accessway is a minimum 3 metres in width throughout
	<ul style="list-style-type: none"> Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. 	✓ Standard met
	<ul style="list-style-type: none"> 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. 	NA
	<ul style="list-style-type: none"> Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. 	✓ Standard met 6 cubic metres of storage and a bicycle space is provided above vehicles within each garage. A cross section diagram is required to be provided via permit conditions to ensure the design standard is met
	<ul style="list-style-type: none"> If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction. 	NA Subject site does not connect to a Road Zone / Transport Zone
	<ul style="list-style-type: none"> Provide a passing area at the entrance at least 5 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 Road Zone. 	NA
	<ul style="list-style-type: none"> 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. 	✓ Standard met Splay areas shown with no obstructions
	If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.	NA

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	<p>If entry to the car space is from a road, the width of the accessway may include the road.</p>	<p>NA</p> <p>Entry to car parking spaces does not include the width of accessways</p>																																
<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table><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><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></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>✓ Standard met</p> <p>Each dwelling is accommodated with a double car garage dimensioned a minimum 5.5 metres by 6 metres</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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2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

<p>✓ Standard met</p> <p>As above, a condition is to be included on the permit for a cross section diagram to ensure that the storage space and bicycle parking does not impact on the car parking space</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"> • 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. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p> 	<p>✓ Standard met</p>
<p>NA</p> <p>No tandem spaces proposed</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>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p> <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>✓ Standard met</p>
<p>NA</p>		<p>NA</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Design standard 3: Gradients	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.	✓ Standard met Grades are not steeper than 1:10 within the first 5 metres of the site													
	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.	✓ Standard met													
	Table 3: Ramp gradients														
	<table><tr><th>Type of car park</th><th>Length of ramp</th><th>Maximum grade</th></tr><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></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%)	
	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%)													
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.	✓ Standard met														
Design standard 4: Mechanical parking	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.	NA													
	Mechanical parking may be used to meet the car parking requirement provided: <ul style="list-style-type: none">At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.	NA No mechanical parking proposed													
	<ul style="list-style-type: none">Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.	NA													
	<ul style="list-style-type: none">The design and operation is to the satisfaction of the responsible authority.	NA													
	Ground level car parking, garage doors and accessways must not visually dominate public space.	✓ Standard met Garages and parking spaces provided to the rears of dwellings													
Design standard 5: Urban design	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.	✓ Standard met													
	Design of car parks must take into account their use as entry points to the site.	✓ Standard met													

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	Design of new internal streets in developments must maximise on street parking opportunities.	✓ Standard met
Design standard 6: Safety	Car parking must be well lit and clearly signed.	✓ Standard met Standard is met via permit condition for sensor lighting to be provided outside garages
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Standard met
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met Access is provided to dwellings one and two from garages into areas of secluded private open space and from garages three and four into the dwellings for convenient pedestrian connectivity
	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.	✓ Standard met
Design standard 7: Landscaping	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	✓ Standard met
	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.	✓ Standard met
	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.	✓ Standard met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 44 NOCKOLDS CRESCENT,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0674)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 42 (including cover)

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (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.	✓ Standard met The design response is generally consistent with the preferred neighbourhood character within a General Residential Zone, Schedule 1. The proposed built form is considered to be site responsive with well articulated, clearly separated first floor footprints with suitable ground and first floor setbacks from the sensitive interfaces. The design has incorporated pitched roof forms and a variation of colours and materials per level to correspond with the preferred and existing neighbourhood character of the site and surrounds.
	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	✓ Standard met See Clause 22.09 assessment for a response against the local neighbourhood character policies.
	The neighbourhood and site description.	
	The design response.	
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	✓ Objective met
	To ensure that development responds to the features of the site and the surrounding area.	

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

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.02-2 Residential policy objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B2	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.	Standard met The application has been accompanied with a written statement against all relevant planning policies
Decision Guidelines	The PPF and the LPPF including the MSS and local planning policies. The design response.	
Objectives	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.	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.02-3 Dwelling diversity objective

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)**Clause 55.02-4 Infrastructure objectives**

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	✓ Standard met The proposed development is within an established residential area, well connected to utility and infrastructure services
	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	✓ Standard met
	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.	✓ Standard met
	The capacity of the existing infrastructure.	
Decision Guidelines	In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970.	
	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.	
	To ensure development is provided with appropriate utility services and infrastructure.	✓ Objective met
Objectives	To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)**Clause 55.02-5 Integration with the street objective**

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Standard met The proposed development is well integrated with the street, car parking spaces to the rears of dwellings and established pedestrian links to dwellings one and two from the street
	Developments should be oriented to front existing and proposed streets.	Standard met Dwelling one and two are orientated to the street with three and four towards the internal accessway
	High fencing in front of dwellings should be avoided if practicable.	Standard met No front fence proposed
	Development next to existing public open space should be laid out to complement the open space.	Standard met No public open space adjoining
	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-1 Street setback objective

Title & Objective	Standard (Summarised)	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"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. <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><i>RGZ & GRZ3: 5 metres or as per Table B1, whichever is the lesser.</i></p> <p><i>GRZ 1 & 2: 7.5 metres or as per Table B1, whichever is the lesser.</i></p> <p><i>NRZ: As per Table B1.</i></p> <p>Table B1 Street setback</p> <table data-bbox="576 960 1161 1570"> <thead> <tr> <th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr> </thead> <tbody> <tr> <td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td><td>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.</td><td>Not applicable</td></tr> <tr> <td>There is an existing building on one abutting allotment facing the same street and no other abutting allotment facing the same street, and the site is not on a corner.</td><td>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.</td><td>Not applicable</td></tr> <tr> <td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td><td>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</td><td>Not applicable</td></tr> <tr> <td>The site is on a corner.</td><td>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.</td><td>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.</td></tr> </tbody> </table>	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 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.	<p>Standard met</p> <p>GRZ1 7.5 metres or as per B1</p> <p>Adjoining dwellings are both 7.8 metres</p> <p>A minimum 7.5 metres required</p> <p>7.5 metres provided to both dwellings one and two</p> <p>Porch structures are encroaching to 6.5 metres at a maximum height of 3.438 metres</p> <p>Complies</p>
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 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.															

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Decision Guidelines							
Objective							

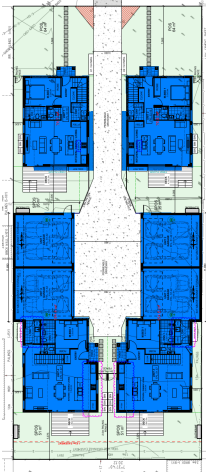
2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-2 Building height objective

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B7		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. <u>RGZ:</u> 13.5 metres <u>discretionary maximum</u> (refer Clause 32.07-8 for details) <u>GRZ:</u> 11 metres / 3 storeys <u>mandatory maximum</u> (refer Clause 32.08-9) <u>NRZ:</u> 9 metres / 2 storeys <u>mandatory maximum</u> (refer Clause 32.09-9)	Standard met GRZ1 maximum height of 11 metres permitted Maximum 8.206 metre provided Complies
		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.	N/A
Decision Guidelines		Changes of building height between existing buildings and new buildings should be graduated.	Standard met
		Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
		Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.	
		The design response.	
		The effect of the slope of the site on the height of the building.	
Objective		The relationship between the proposed building height and the height of existing adjacent buildings.	Objective met
		The visual impact of the building when viewed from the street and from adjoining properties.	
		To ensure that the height of buildings respects the existing or preferred neighbourhood character	

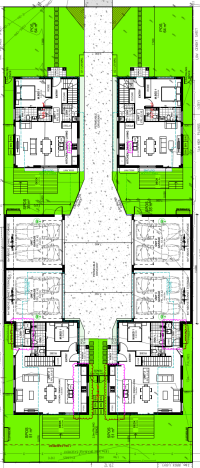
2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-3 Site coverage objective

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B8		<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none">• The maximum site coverage specified in a schedule to the zone, or• If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p><u>RGZ1</u>: 70%</p> <p><u>RGZ2</u>: 70%</p> <p><u>GRZ1</u>: 60% (<i>none specified</i>)</p> <p><u>GRZ2</u>: 60% (<i>none specified</i>)</p> <p><u>GRZ3</u>: 70%</p> <p><u>NRZ1</u>: 50%</p>	<p>✓ Standard met</p> <p>GRZ1 60% maximum permitted 981 sqm total site area 462.5 sqm provided = 47%</p> <p>Complies</p> 
Decision Guidelines		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	
Objective		The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.	✓ Objective met
		To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-4 Permeability and stormwater management objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>RGZ1: 20% RGZ2: 20% (none specified)</p> <p>GRZ1: 30% GRZ2: 20% (none specified) GRZ3: 20% (none specified)</p> <p>NRZ1: 40%</p> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> 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). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. 	<p>Standard met</p> <p>GRZ1 30% minimum required Total area is 981 sqm 353 sqm or 35.98% provided Complies</p> 
Decision Guidelines	<p>The design response.</p> <p>The capacity of the site to incorporate stormwater retention and reuse.</p> <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>	
Objectives	<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>	<p>Objective met</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-5 Energy efficiency objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B10	Buildings should be: <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • 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. 	Standard met The proposed development has appropriately positioned areas of open space with northern solar availability Each living area is accommodated with north and western daylight Energy efficiency of existing dwellings on adjoining sites is not unreasonably reduced by the proposed development
Decision Guidelines	Living areas and private open space should be located on the north side of the development, if practicable.	Standard met
	Developments should be designed so that solar access to north-facing windows is maximised.	Standard met
	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.	
Objectives	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.	
	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.	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-6 Open space objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B11	<p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate. • Provide outlook for as many dwellings as practicable. • Be designed to protect any natural features on the site. • Be accessible and useable. 	<p>NA</p> <p>No public or communal space proposed</p>
Decision Guidelines	<p>Any relevant plan or policy for open space in the PPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p>	
Objective	<p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)**Clause 55.03-7 Safety objective**

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B12		Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.	✓ Standard met Dwelling entry points are easily identifiable from the street or internal accessway and are not isolated
		Planting which creates unsafe spaces along streets and accessways should be avoided.	✓ Standard met
		Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	✓ Standard met Passive surveillance is achieved with habitable room windows viewing the street, internal accessway and car parking spaces. A condition can be included to the permit to ensure that vehicle parking spaces are provided with sensor lighting.
		Private spaces within developments should be protected from inappropriate use as public thoroughfares.	✓ Standard met Private spaces are blocked by fencing and buildings
		The design response.	
Decision Guidelines			
Objectives		To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-8 Landscaping objectives

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B13		The landscape layout and design should:	✓ Standard met A complete landscaping plan is provided demonstrating that each dwelling is accommodated with appropriately sited landscaping to the front, sides and rear boundaries
		<ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. 	
		Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.	
		Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made	
		The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.	
		Development should meet any additional landscape requirements specified in a schedule to the zone. All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."	
Decision Guidelines		Any relevant neighbourhood character objective, policy or statement set out in this scheme.	✓ Standard met One crossover is provided along the frontage of 20.12 metres with minimal paving 151 sqm total front setback 128.4 sqm or 85% set aside for landscaping purposes Complies
		Any relevant plan or policy for landscape design in the PPF and the LPPF, including the MSS and local planning policies.	
		The design response.	
		The location and size of gardens and the predominant plant types in the neighbourhood.	
		The health of any trees to be removed.	
Objectives		Whether a tree was removed to gain a development advantage.	✓ Objective met
		To encourage development that respects the landscape character of the neighbourhood.	
		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.	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.03-9 Access objective

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B14		The width of accessways or car spaces should not exceed:	Standard met 20.12 metre wide frontage with a 3 metre crossover and accessway proposed 14.9% complies with less than 33%
		<ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	
		No more than one single-width crossover should be provided for each dwelling fronting a street.	
		The location of crossovers should maximise retention of on-street car parking spaces.	
		The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.	
		Developments must provide for access for service, emergency and delivery vehicles.	
Decision Guidelines		The design response.	Standard met No a TR2 or 3 zone
		The impact on neighbourhood character.	
		The reduction of on-street car parking spaces.	
		The effect on any significant vegetation on the site and footpath.	
Objectives		To ensure the number and design of vehicle crossovers respects the neighbourhood character.	Objective met

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)**Clause 55.03-10 Parking location objectives**

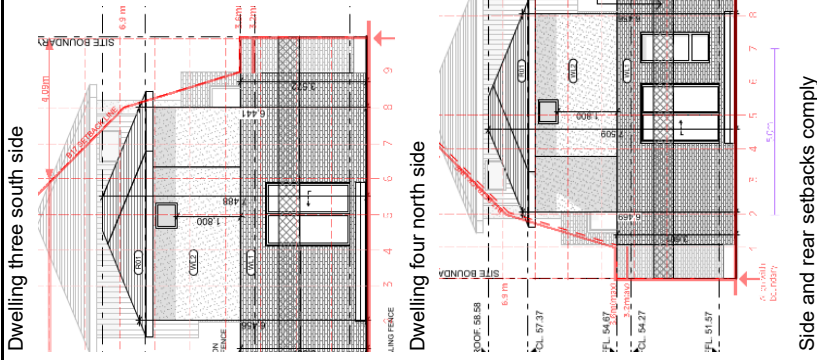
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B15	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways 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>Standard met</p> <p>Car parking spaces are located to the rears of dwellings one and two with convenient pedestrian access provided into areas of secluded private open space and the dwelling</p> <p>Standard met</p> <p>One habitable (kitchen) window provided along the accessway to dwellings one and two</p> <p>Both have a setback distance of 0.5 metres from the internal accessway and a window sill height of 1.7 metres at FFL, a 1.8 metre high sill from the internal accessway to prevent vehicular noise.</p> <p>Complies</p>
Decision	The design response.	
Guidelines		
Objectives	<p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-1 Side and rear setbacks objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B17	<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">At least the distance specified in a schedule to the zone, or <p>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</p> <ul style="list-style-type: none">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. <p>Diagram B1 Side and rear setbacks</p>	<p>Standard met</p> <p>✓ Standard met</p> <p>Dwelling one north side</p> <p>Dwelling two south side</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	 <p>Dwelling three south side</p> <p>Dwelling four north side</p> <p>Side and rear setbacks comply</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 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>Any relevant neighbourhood character objective, policy or statement set out in this</p>
Decision		

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Guidelines	scheme.	
	The design response.	
	The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.	
	Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.	
	Whether the wall abuts a side or rear lane.	
Objectives	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>✓ Objective met</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-2 Walls on boundaries objective

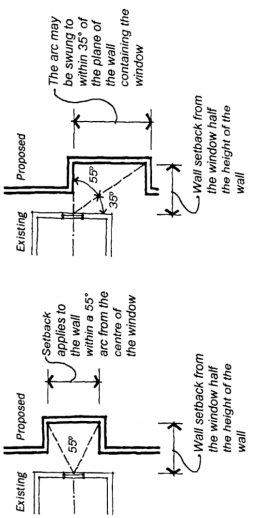
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - 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. <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>Standard met</p> <p>Garages one and four along northern side boundary Boundary length 48.77 metres = 19.69 metres permitted 11.69 metres proposed</p> <p>Garages two and three along southern side boundary Boundary length 48.77 metres = 19.69 metres permitted 11.69 metres proposed</p> <p>Standard met</p> <p>Standard met</p> <p>Garages one and four along northern side boundary 3.25 metres max 3.01 metres average Garages two and three along southern side boundary 2.945 metres max 2.6 metres average Complies No other wall on or within 200 mm of a boundary</p>
Decision Guidelines	<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>	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	<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>	
Objectives	<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>✓ Objective met</p>

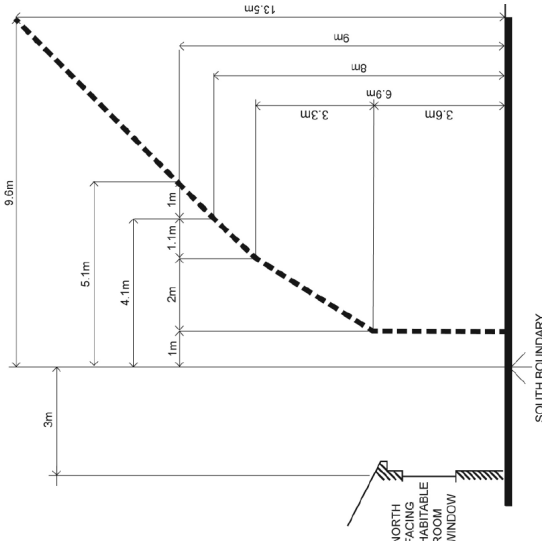
2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-3 Daylight to existing windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B19	<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>Diagram B2 Daylight to existing windows</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>Standard met</p> <p>No north facing habitable windows within 3 metres of the southern side boundary</p> <p>No habitable windows within 3 metres of northern side boundary</p> <p>Four (4) habitable windows setback 1.7 metres of western rear, the proposed dwellings three and four are setback 5 metres from the rear boundary</p> <p>Complies</p> <p>Standard met</p>
Decision Guidelines	<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>	
Objective	To allow adequate daylight into existing habitable room windows.	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-4 North-facing windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B20	<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>Diagram B3 North-facing windows</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>Applies where a window's NEW is between 20° and 30° to the north.</p>	<p>Standard Met</p> <p>✓ Standard met</p> <p>No north facing habitable windows within 3 metres of the southern boundary</p>
Decision Guidelines	<p>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p>	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	The impact on the amenity of existing dwellings.	
Objective	To allow adequate solar access to existing north-facing habitable room windows.	✓ Objective met

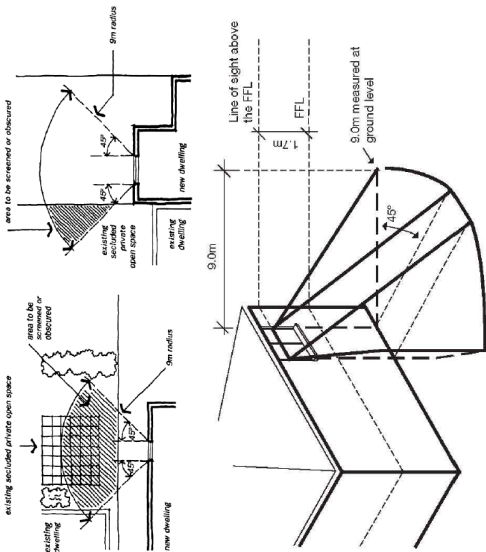
2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-5 Overshadowing open space objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B21	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. 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.	✓ Standard met Existing daylight into areas of secluded private open space are not unreasonably reduced ✓ Standard met
Decision Guidelines	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.	
Objective	The effect of a reduction in sunlight on the existing use of the existing secluded private open space.	✓ Objective met
	To ensure buildings do not significantly overshadow existing secluded private open space.	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-6 Overlooking objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B22	<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>Diagram B4 Overlooking open space</p> 	<p>✓ Standard met</p> <p>Windows facing north, south and west are all obscured or highlighted to 1.7 metres to prevent overlooking</p> <p>East facing windows front the street and do not require screening</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">• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.• Have sill heights of at least 1.7 metres above floor level.• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.	<p>✓ Standard met</p>

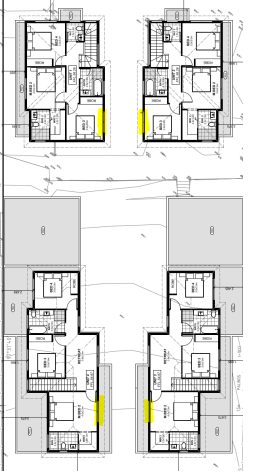
ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

	Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.	✓ Standard met
	Screens used to obscure a view should be: <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed, and durable. • Designed and coloured to blend in with the development. 	✓ Standard met
	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.	✓ Standard met Ground floors of dwellings 2, 3 and 4 have finished floor levels less than 0.8 metres. Do not require screening Dwelling one northern side has a finished floor level 0.8 metres or greater along the northern boundary. The boundary fence is 1.6 metres high and the application proposes an additional 0.9 metre high trellis to screen the windows and rear decking and stairs to the dwelling to prevent overlooking. The trellis would result in a visual barrier of at least 1.8 metres high compliant with the standard
Decision Guidelines	The design response.	
	The impact on the amenity of the secluded private open space or habitable room window.	
	The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.	
	The internal daylight to and amenity of the proposed dwelling or residential building.	
Objective	To limit views into existing secluded private open space and habitable room windows.	✓ Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-7 Internal views objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B23	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>Standard not met</p> <p>The south facing first floor bed 2 window to dwelling four and bed 3 window to dwelling 1 can currently look directly into the bed 2 window of dwelling 3 and bed 3 window of dwelling 2.</p> <p>Applicable windows are highlighted below:</p> 
Decision Guidelines	The design response.	It is considered that screening or obscuring can be provided via a permit condition to ensure no internal views are possible
Objective	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	<p>Objective met</p> <p>A permit condition can be included to the permit to ensure internal views are not possible</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.04-8 Noise impacts objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent dwellings.	✓ Standard met No noise sources apparent
	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.	✓ Standard met
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	✓ Standard met
Decision Guidelines	The design response.	
Objectives	To contain noise sources within development that may affect existing dwellings.	✓ Objective met
	To protect residents from external noise.	

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-1 Accessibility objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B25	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.	✓ Standard met Each dwelling is easily accessible from the street or internal accessway
Objective	To encourage the consideration of the needs of people with limited mobility in the design of developments.	✓ Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-2 Dwelling entry objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B26	<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>✓ Standard met</p> <p>Each dwelling is easily identifiable from the street or internal accessway</p>
Objective	<p>To provide each dwelling or residential building with its own sense of identity.</p>	<p>✓ Objective met</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-3 Daylight to new windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B27	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> • 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 • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	<p>✓ Standard met</p> <p>Each new window has a minimum 3 square metres and 1 metre clear to the sky</p>
Decision Guidelines	<p>The design response.</p> <p>Whether there are other windows in the habitable room which have access to daylight.</p>	
Objective	<p>To allow adequate daylight into new habitable room windows.</p>	<p>✓ Objective met</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-4 Private open space objective

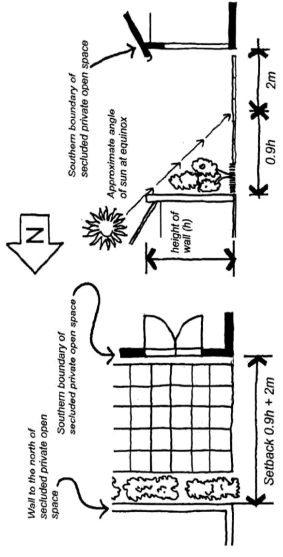
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p><u>RGZ1:</u> <i>None specified</i></p> <p><u>RGZ2:</u> <i>"As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from a living room."</i></p> <p><u>GRZ1:</u> <i>"An area of 50 square metres of ground level, private open space, with an area 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> <i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p> <p><u>GRZ2:</u> <i>"As per the B28 40 sq m requirement, with the 25 sq m of secluded private open space at ground level having a minimum dimension of 5 metres; or</i> <i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p> <p><u>GRZ3:</u> <i>"As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p> <p><u>NRZ1:</u> <i>"An area of 60 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 40 square metres with a minimum dimension of 5 metres and convenient access from a living room; or</i> <i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p>	<p>Standard met</p> <p>GRZ1</p> <p>Dwelling one (1)</p> <p>A total area of 111 square metres of private open space consisting of a minimum area of 35 square metres to the rear with a minimum dimension of 5 metres and convenient access from a living room</p> <p>Dwelling two (2)</p> <p>A total area of 111 square metres of private open space consisting of a minimum area of 35 square metres to the rear with a minimum dimension of 5 metres and convenient access from a living room</p> <p>Dwelling three (3)</p> <p>A total area of 64 square metres of private open space consisting of a minimum area of 50 square metres to the rear of the dwelling with a minimum dimension of 5 metres and convenient access from a living room</p> <p>Dwelling four (4)</p> <p>A total area of 64 square metres of private open space consisting of a minimum area of 50 square metres to the rear of the dwelling with a minimum dimension of 5 metres and convenient access from a living room</p> <p>Complies</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (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"> • 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 • A balcony of 8 square metres with a minimum width of 1.6 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. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	
Decision Guidelines	<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>	
Objective	To provide adequate private open space for the reasonable recreation and service needs of residents.	✓ Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-5 Solar access to open space objective

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B29	The private open space should be located on the north side of the dwelling or residential building, if appropriate.		✓ Standard met Each area of secluded private open space is provided with northern solar access No area is to the south of a wall
	The southern boundary of secluded private open space should 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. Diagram B5 Solar access to open space 		✓ Standard met
Decision Guidelines	The design response.		
	The useability and amenity of the secluded private open space based on the sunlight it will receive.		
Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.		✓ Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.05-6 Storage objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	<p>✓ Standard met</p> <p>Each dwelling is provided with six cubic metres of overhead storage within garage spaces. A condition is to be imposed to the permit for a cross section to ensure no obstructions are provided to the car spaces and the sufficient amount of storage is provided per dwelling.</p>
Objective	To provide adequate storage facilities for each dwelling.	<p>✓ Objective met</p>

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.06-1 Design detail objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves, and parapets, <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>Standard met</p> <p>Each dwelling is provided with suitable window to wall proportions, a variation of colours and materials per levels and pitched roof forms. The proposed development is considered to respond appropriately to the existing and preferred neighbourhood character.</p>
Decision Guidelines	<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>Standard met</p> <p>Garages are provided to the rears of dwellings one and two away from the street</p>
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.	Objective met

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.06-2 Front fences objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA						
Standard B32	<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">The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p><i>“Maximum 1.5 metre height in streets in Transport Road Zone 2</i></p> <p><i>1.2 metre maximum height for other streets”</i></p> <ul style="list-style-type: none">If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table><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>✓ Standard met</p> <p>✓ Standard met</p> <p>No proposed front fence</p>
Street Context	Maximum front fence height							
Streets in a Transport Zone 2	2 metres							
Other streets	1.5 metres							
Decision Guidelines	<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>							
Objective	<p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p>✓ Objective met</p>						

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)

Clause 55.06-3 Common property objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B33	Developments should clearly delineate public, communal, and private areas.	<p>✓ Standard met</p> <p>Common property is clearly lineated to the internal accessway and associated landscaping</p>
Objectives	Common property, where provided, should be functional and capable of efficient management.	<p>✓ Standard met</p>
	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive, and easily maintained.	<p>✓ Objective met</p>
	To avoid future management difficulties in areas of common ownership.	

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 44 Nockolds Crescent, Noble Park (Planning Application No. PLN21/0674) (Cont.)**Clause 55.06-4 Site services objectives**

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B34	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.	<p>✓ Standard met</p> <p>the proposed design and layout of dwellings has suitably accommodated space for site services to be installed and maintained efficiently and economically to the sides and rears of dwellings</p>
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	<p>✓ Standard met</p>
	Bin and recycling enclosures should be located for convenient access by residents.	<p>✓ Standard met</p> <p>Bin and recycling enclosures are conveniently placed with easy accessibility to the street</p>
	Mailboxes should be provided and located for convenient access as required by Australia Post.	<p>✓ Standard met</p> <p>Mailboxes are conveniently provided along either sides of the accessway</p>
	The design response.	
Decision Guidelines	To ensure that site services can be installed and easily maintained.	<p>✓ Objective met</p>
	To ensure that site facilities are accessible, adequate, and attractive.	

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.

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.

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs

File Id:	qA470291
Responsible Officer:	Director Business, Engineering & Major Projects
Attachments:	Contract No. 2122-34 Fencing Supply Installation & Repairs – Confidential Attachment

Report Summary

This report summarises the tender process undertaken by Council to select a suitably experienced and resourced contractor for the provision of fencing supply, installation and repair services throughout the municipality.

The initial contract term is four (4) years, with an option of two (2) twelve (12) month extensions at the sole and absolute discretion of Council.

This is a Schedule of Rates based contract.

Recommendation Summary

This report recommends that Council awards Contract No. 2122-34 for the provision of fencing supply, installation and repairs to Melbourne Chain Wire Fencing for the Schedule of Rates for an initial period of four (4) years.

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

Background

Council is seeking the services of a suitably experienced and resourced contractor to undertake fencing repair and maintenance works within the municipality. The Parks Team undertook a review of services prior to tendering.

Works under this contract include the supply, installation and maintenance of various types of fencing classified as Council assets. Including but not limited to, post and rail, bollards, cyclone fencing and reserve gates. The nature of this contract is reactionary, with the successful contractor expected to respond to the timeframes provided for safety issues and repairs to damaged or vandalised fencing.

Tender Process

This tender was publicly advertised in The Age Newspaper on Saturday 26 March 2022 and closed at 2pm on Thursday 21 April 2022. At close of the advertising period three (3) tenders were received from the following companies:

1. Fencetech Australia Pty Ltd trading as Otter Fencing
2. Innovative Controls Pty Ltd
3. Melbourne Chain Wire Fencing

Tender Evaluation

The tender evaluation panel comprised of Team Leader Turf Services, Service Coordinator Playgrounds & Park Assets and Contracts Officer. The tenders were evaluated using Council's Weighted Attribute Value Selection method. The evaluation criteria included in the tender documents and the allocated weightings used to evaluate the tenders were as follows:

	Evaluation Criteria	Weighting
1	Tendered Price	30%
2	Relevant Experience	30%
3	Capability	25%
4	Social Procurement	5%
5	Local Industry	5%
6	Environmental	5%

The evaluation criteria are given a point score between 0 and 5 as detailed in the following table:

Score	Description
5	Excellent

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

4	Very Good
3	Good
2	Acceptable
1	Marginally Acceptable
0	Not Acceptable

The panel assessed the criteria against the tendered submission and the comparative Weighted Attribute Scores after the evaluation stage was as follows:

Tenderer	Price Points	Non-Price Points	Total Score	OHS and EMS
Melbourne Chain Wire Fencing	1.26	3.08	4.34	Compliant with Rapid Global
Fencetech Australia Pty Ltd trading as Otter Fencing	0.75	2.81	3.56	Compliant with Rapid Global
Innovative Controls Pty Ltd	0.00	2.21	2.21	Not registered with Rapid Global

The tender panel agreed that Melbourne Chainwire Fencing should be awarded the contract, they have achieved the highest price points based on an estimated annual cost and they also achieved the highest non-price points. Melbourne Chainwire Fencing possess the required levels of experience, staff resources, equipment, management support and supervision capability and have all the appropriate OH&S and Environmental Management Systems in place. Melbourne Chainwire Fencing are also one of Councils current suppliers and have performed well within the current contract, the panel agreed that their overall submission provides the best value with the least amount of risk to Council and the community, due to continuity of service.

Note:

The higher the price score – lower the tendered price.

The higher the non-price score – represents better capability and capacity to undertake the service.]

Financial Implications

There are no financial implications associated with this report. Council expects, based on volume of work that it has traditionally delivered, and is expected to deliver, in conjunction with the schedule of rates submitted, that the contract costs will be managed with the current figure of approximately \$150,000 in operational expenditure and forecasted budget provisions. The contract expenditure for 2020/2021 was \$130,074 and \$132,074 in the current financial year.

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

Schedule of Rates	<i>Schedule of Rates A schedule of rates contract is one under which the amount that is payable to the contractor is calculated by applying an agreed schedule of rates to the quantity of work that is performed.</i>
Lump Sum	<i>Lump Sum A lump sum contract or a stipulated sum contract will require that the supplier agree to provide specified services for a stipulated or fixed price.</i>

Social Procurement

Melbourne Chainwire Fencing has identified that in the past they have recruited a diverse range of employees including long-term unemployed. Melbourne Chainwire Fencing currently have a full complement of staff, however the social outcomes of gaining this contract would include providing a stable employment for over 90 staff both directly and indirectly. Melbourne Chainwire Fencing also invests in the community by supporting many sporting clubs.

Local Industry

Melbourne Chainwire Fencing is a business based in Heidelberg West with over 20 years of experience in the industry. In their submission Melbourne Chainwire Fencing have provided a value estimate of over \$230,000 for their use of local content, in particular materials, needed to perform the services of this contract from within Greater Dandenong.

Consultation

Consultation is exempt under Councils Community Engagement Policy. Consultation was not required as the tendering process relates to operational matters and contains confidential or commercial in confidence information.

The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (the LGA 2020) states that a Council must in the performance of its role give effect to the overarching governance principles. When a

tender process is undertaken it is fundamentally underpinned by the following overarching governance principles:

- Section 9(a) of the LGA2020 - Council decisions are to be made and actions taken in accordance with the relevant law;
- Section 9(b) of the LGA2020 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- Section 9(c) of the LGA2020 - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- Section 9(e) of the LGA 2020 - innovation and continuous improvement is to be pursued;
- Section 9(f) of the LGA 2020 - collaboration with other councils and governments and statutory bodies is to be sought;

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

- Section 9(g) of the LGA2020 - the ongoing financial viability of the Council is to be ensured; and
- Section 9(i) of the LGA2020 - the transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles above, the following supporting principles are also considered throughout any tender process:

- Section 89 of the LGA2020 - the strategic planning principles; and
- Section 1010 of the LGA 2020 - the financial management principles.

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 Victorian Charter of Human Rights and Responsibilities Act 2006 has been considered in relation to whether any human right under the Charter is restricted or interfered with in any way by this tender. It is considered the tendering process and report is consistent with the rights outlined in the Charter.

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 content of this report does not have a direct and significant impact on members of the Greater Dandenong community therefore a gender impact assessment is not required. However, to ensure the importance of equality and inclusion is considered, tenderers responses against social procurement were assessed and scored accordingly within the tender evaluation matrix.

Consideration was also given to tenderers corporate social responsibilities and the inclusions of policies which adhere to relevant state and federal relevant legislation, as outlined in Councils Diversity, Access and Equity Policy. This includes Equal Employment Opportunity, Sexual Harassment and Disability Discrimination. The administration and compliance of these policies will be monitored through contract meetings and contract performance monitoring systems.

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.

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

The tender responds to Council's declaration of climate and ecological emergency and, the climate emergency strategy and action plan 2020-2030 in the following ways. Successful tenderers have demonstrated and committed to sustainable practices including the reduction of greenhouse emissions, water usage and waste generation and recycling through environmental management systems (EMS) both independent and compliant with ISO14001:2015. Successful tenderers EMS were assessed as either a pass or fail component as part of the tender evaluation process.

Conclusion

At the conclusion of the tender evaluation process, the evaluation panel agreed that the tender submission from Melbourne Chainwire Fencing represented the best value outcome for Council and should be accepted due to their:

- 1) conforming and competitively priced tender submissions;
- 2) relevant experience working with Victorian government authorities and private organisations in a similar capacity;
- 3) level of experience and staff resources;
- 4) receiving a Pass for their Occupational Health and Safety (OH&S) and Environmental Management Systems; and
- 5) registered and pre-qualified with Rapid Global (Council's Contractor Risk Management Compliance database).

Recommendation

That Council:

1. **awards Contract No.2122-34 for the provision of Fencing Supply, Installation and Repairs to Melbourne Chainwire Fencing for the Schedule of Rates for an initial period of four (4) years;**
2. **reserves the option to extend the initial contract term by two (2) twelve (12) month extensions at the sole and absolute discretion of Council; and**
3. **signs and seals the contract documentation when prepared.**

4.1.1 Contract No. 2122-34 Fencing Supply, Installation and Repairs (Cont.)

REPORT

11 July 2022

CONTRACTS

**CONTRACT NO. 2122-34 Fencing Supply,
Installation and Repairs**

ATTACHMENT 1

**TENDER INFORMATION
(CONFIDENTIAL)**

PAGES 2 (including cover)

This attachment has been deemed confidential by the Chief Executive Officer under section 3(1) of the *Local Government Act 2020* and has not been provided within the Public Agenda.

Page 1

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

Attachments:

Tender Information (CONFIDENTIAL)

Report Summary

This report outlines the tender process undertaken to select a suitably qualified and experienced contractor for the provision of **Graffiti Removal & Application of Protective Coatings** within the City of Greater Dandenong. This is a Lump Sum Contract with a Schedule of Rates component.

The initial term of this contract is for three (3) years from the date of commencement with an option to extend the initial contract term by two (2) twelve (12) month extensions at the sole and absolute discretion of Council.

Recommendation Summary

This report recommends that Council awards Contract 2122-42 to **Kleenit Pty Ltd** for the annual lump sum price of One Hundred and Eighty Two Thousand, Three Hundred and Seventeen Dollars and Thirty Six Cents (\$182,317.36) including GST as tendered for the first year of the contract.

The estimated expenditure for this contract over the possible five year contract term is Nine Hundred and Eleven Thousand, Five Hundred and Eighty Six Dollars and Eighty Cents (\$911,586.80) including GST of \$82,871.53.

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

Background

The purpose of this contract is to provide Council with the operational capability for Graffiti Removal & Application of Protective Coatings within the City of Greater Dandenong.

Council's graffiti removal program has been operating for over 25 years.

Council aims to be a leader in the community in responding to graffiti incidents. It deploys a rapid removal strategy for all its assets (and some private assets within the area, as requested by the Supervisor).

The scope of the service shall include all labour, materials, plant and equipment and overheads for the removal of graffiti and application of protective coatings within the boundary of the municipality. The contractor will provide the service on a range of materials and surfaces such as internal and external building surfaces, fencing, retaining walls, footpaths, paving, signage, and street furniture. The service may include, but is not limited to:

- Removing graffiti from painted or unpainted surfaces;
- Painting-over of graffiti on painted or unpainted surfaces;
- Sanding back timber surfaces for the removal of graffiti;
- Reporting of graffiti by means of recording specific details including supply of digital photographs;
- Assessment of graffiti as requested by the Supervisor;
- Auditing of graffiti as requested by the Supervisor;
- Contact with and follow up of residents regarding subsidised graffiti removal from private property as requested by the Supervisor;
- The obtaining of signatures from property occupiers where Council has requested the removal of graffiti from private property.
- General maintenance of Council assets to ensure that repeat occurrences of graffiti are removed quickly and professionally; and
- Provision of Graffiti Removal Kits for the use by Council staff and issue to the general community for the treatment of graffiti.

Tender Process

This tender was advertised in the Age Newspaper and on Council's website on Saturday 12 March 2022 and at the close of tenders at 2:00PM Thursday 31 March 2022 six (6) tender submissions were received as follows:

- 1) Alpha Corporate Property Services Pty Ltd
- 2) Sinclair, Brodie Richard Trading as Graffiti Removal Tas
- 3) Kleenit Pty Ltd
- 4) Kopriva Cleaning Pty Ltd

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

5) Techni-Clean (Aust

6) Urban Maintenance Systems Pty Ltd (UMS)

Tenderers were requested to submit an annual lump sum price for 'Unlimited Services' as specified on Schedule 1C of the tender documents and a Schedule of Rates per item for the cleaning of particular surfaces as specified on Schedule 1A of the tender documents.

The 'Unlimited Services' option (Schedule 1C) will require the contractor to be available to carry out work, as directed, five days per week during normal business hours.

The 'Schedule of Rates' option requested tenderers to provide a rate per square meter for the cleaning of eleven (11) surface types that frequently require graffiti removal within Greater Dandenong.

Tenderers were also requested to provide a Schedule of Rates for:

- The Application of Anti Graffiti Coatings; and
- The Supply of Graffiti Removal Kits.

Tender Evaluation

The evaluation panel consisted of Council's Acting Manager Infrastructure Services & Planning, Service Unit Leader – Waste & Cleansing, Team Leader Cleansing, Cleansing Foreperson and Contracts Officer, with Occupational Health & Safety and Environmental Management consultants providing specialist advice.

The Tenders were evaluated using Council's Weighted Attributed Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows:

	Evaluation Criteria	Weighting
1	Price	45%
2	Relevant Experience – In Business & This Work	10%
3	Relevant Experience – Technical / Track Record	10%
4	Capability – Resources	10%
5	Capability – Capacity	10%
6	Social Procurement	5%
7	Local Industry	5%
8	Environmental	5%
9	OH&S Systems (Pass / Fail)	Pass / Fail

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

10	Environmental System (Pass / Fail)	Pass / Fail
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The Evaluation Criteria 1 – 8 are given a point score between 0 (Not Acceptable) and 5 (Excellent) as detailed in the following table. Evaluation Criteria 9 and 10 are given a Pass or Fail.

Score	Description
5	Excellent
4	Very Good
3	Good, better than average
2	Acceptable
1	Marginally acceptable (Success not assured)
0	Not Acceptable

Each submission was assessed against all evaluation criteria to ensure that the tenderers met the standards required for Council contractors.

Sinclair, Brodie Richard Trading as Graffiti Removal Tas did not complete and submit any of Council's required tender schedules and therefore were not assessed for any of the non price evaluation criteria.

The weighted attribute points scores resulting from the assessment are shown in the following table:

Tenderer	Price Points	Non-Price Points	OH&S	EMS	Total Score
Kleenit	1.66	1.84	PASS	PASS	3.50
Techni Clean (Aust)	1.46	1.39	Not Assessed	Not Assessed	2.85
Urban Maintenance Systems (UMS)	0.00	2.19	PASS	PASS	2.19
Kopriva Cleaning	0.79	1.23	Not Assessed	Not Assessed	2.02
Alpha Corporate Property Services	0.43	1.55	PASS	PASS	1.98
Graffiti Removal Tas	1.59	0.00	Not Assessed	Not Assessed	1.59

At the completion of the tender evaluation process described above, the Evaluation Panel agreed that **Kleenit Pty Ltd** represented the best value outcome for Council.

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

The tender submission from Urban Maintenance Systems automatically received a price points score of zero as their price offered for Unlimited Service was greater than 50% above the median of all prices offered.

The evaluation matrix and other supporting documents have been placed in the relevant Objective Contract Procurement file.

Note:

The higher the price score – lower the tendered price.

The higher the non-price score – represents better capability and capacity to undertake the service.]

Financial Implications

The resource requirements associated with this contract are \$182,317.36 inc. GST compared to the annual budget allocation of \$340,000 for this purpose.

The remaining \$157,682.64 would be utilised towards a proactive service which is something cleansing staff have worked on with the previous contractor and would look to continue with this contractor. This means rather than waiting for a customer request to come through, if the contractors are out cleaning and notice other graffiti they can attend to this straight away. They can also target proactive removals in areas such as CBD's, Arterial roads & Collector roads where graffiti is a regular occurrence.

Schedule of Rates ***A schedule of rates contract is one under which the amount that is payable to the contractor is calculated by applying an agreed schedule of rates to the quantity of work that is performed.***

Lump Sum ***A lump sum contract or a stipulated sum contract will require that the supplier agree to provide specified services for a stipulated or fixed price.***

Social Procurement

Kleenit 100% commit to providing opportunities and/or education, training and apprenticeship opportunities in the municipality of Greater Dandenong Council. Where possible, Kleenit will always look for local employment support and apprenticeship opportunities.

Kleenit have conducted a Graffiti Clean-up day which involved showing the general public how graffiti is removed and has also provided government organisations with Graffiti Removal Kits for public use. Kleenit are considering making the clean-up day an annual event and removing graffiti in the city free of charge for that one day while showing the general public how it is removed.

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

Local Industry

Kleenit has indicated the percentage and price estimates shown below that they intend to spend at Greater Dandenong businesses in the form of labour, materials, plant and supervision.

ITEM	PERCENTAGE OF LOCAL CONTENT	VALUE OF LOCAL CONTENT (exclude GST)
Labour	50%	\$55,000
Materials	100%	\$40,000
Plant & Vehicles & Other	100%	\$25,000
Supervision (as above)		
Other: All additional people if required, will be employed locally		
TOTAL		\$120,000

Kleenit estimate that they will spend approximately \$40,000 with local businesses for Graffiti Removers, Paints and Consumables.

Consultation

1. Safety & Environmental

During the tender evaluation process and in preparation of this report, relevant Council Officers from Council's Operations Centre and Council's Occupational Health & Safety and Environmental Planning were all consulted.

2. Community Engagement

This matter is not subject to Council's Community Engagement Policy under the *Local Government Act 2020* and Council's Community Engagement Planning Framework.

The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (the LGA 2020) states that a Council must in the performance of its role give effect to the overarching governance principles. When a

tender process is undertaken it is fundamentally underpinned by the following overarching governance principles:

- Section 9(a) of the LGA2020 - Council decisions are to be made and actions taken in accordance with the relevant law;
- Section 9(b) of the LGA2020 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations;

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

- Section 9(c) of the LGA2020 - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- Section 9(e) of the LGA 2020 - innovation and continuous improvement is to be pursued;
- Section 9(f) of the LGA 2020 - collaboration with other councils and governments and statutory bodies is to be sought;
- Section 9(g) of the LGA2020 - the ongoing financial viability of the Council is to be ensured; and
- Section 9(i) of the LGA2020 - the transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles above, the following supporting principles are also considered throughout any tender process:

- Section 89 of the LGA2020 - the strategic planning principles; and
- Section 1010 of the LGA 2020 - the financial management principles.

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.

Included in the tender submissions, successful contractors have completed the Modern Slavery Questionnaire (Schedule 8), Fair Work Questionnaire for Potential Contractors (Schedule 9) and the Victorian Child Safe Standards Questionnaire (Schedule 10).

The responses provided to these statements by the successful contractor were assessed and determined to be satisfactory in the context of the 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 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.

Included in the submission for this tender, contractors were required to address Council's Social Employment opportunities (Schedule 7). This includes questions to address Council's Diversity, Access and Equity Policy.

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

The responses provided to these statements by the recommended contractor were assessed and determined to be satisfactory in the context of the Gender Equality Act.

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.

Included in the submission for this tender, contractors were required to address Council's Statement of Environmental (Schedule 8). This includes questions to assess if the contractors' attitude towards sustainability is in line with Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020*.

The responses provided by Kleenit Pty Ltd were assessed and determined to be satisfactory in the context of Climate change and Sustainability.

Conclusion

At the conclusion of the tender evaluation process, which included a preselection interview, the evaluation panel agreed that the tender submission from **Kleenit Pty Ltd** represented the best value outcome for Council and should be accepted due to:

- 1) Their conforming and lowest priced tender submission;
- 2) Their relevant experience working with Victorian government authorities and private organisations on similar Graffiti Removal and Cleaning projects;
- 3) Their level of experience and staff resources available to this Contract;
- 4) Receiving a Pass for their Occupational Health and Safety (OH&S) and Environmental Management Systems;
- 5) Receiving a strong pass for the Standard Financial & Performance Assessment (Procurement) Company Check undertaken by Corporate Scorecard;
- 6) Kleenit Pty Ltd is registered and compliant with Rapid Global (Council's Contractor Risk Management Compliance database);
- 7) Kleenit Pty Ltd has a triple Certified Management System that includes Graffiti Management Services, registered the Joint Accreditation System of Australia and New Zealand (JAS-ANZ); and

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

8) Reference checks were undertaken on four similar Graffiti Removal/Cleaning contracts completed by Kleenit Pty Ltd for Victorian Government authorities receiving rankings of good and very good.

That Council:

- 1. awards Contract 2122-42 for Graffiti Removal and Application of Protective Coatings within the City of Greater Dandenong to Kleenit Pty Ltd for the tendered lump sum for Unlimited Services for the initial contract term of three (3) years from the date of commencement;**
- 2. reserves the option to extend the initial contract term by two (2), twelve (12) month extensions at the sole and absolute discretion of Council; and**
- 3. signs and seals the contract documents when prepared.**

4.1.2 Contract No. 2122-42 Graffiti Removal & Application of Protective Coatings (Cont.)

REPORT
Contracts

11 July 2022

CONTRACTS

**CONTRACT NO. 2122-42 GRAFFITI REMOVAL AND
APPLICATION OF PROTECTIVE COATINGS**

ATTACHMENT 1

**TENDER INFORMATION
(CONFIDENTIAL)**

PAGES 3 (including cover)

This attachment has been deemed confidential by the Chief Executive Officer under section 3(1) of the
Local Government Act 2020 and has not been provided within the Public Agenda.

4.2 OTHER

4.2.1 Audit and Risk Committee Self Assessment

File Id:	A8858682
Responsible Officer:	Chief Executive Officer

Report Summary

Under Section 54 (4) (a) of the Local Government Act 2020, the Audit and Risk Committee must undertake an annual assessment of its performance against its Audit Committee Charter and provide a copy of this assessment to the Chief Executive Officer for tabling at the next Council meeting.

The Audit and Risk Committee completed the performance assessment at its meeting held 17 June 2022 and this report tables the outcome of that assessment to Council.

Recommendation Summary

This report recommends that Council notes the annual assessment of performance against the Charter by the Audit and Risk Committee.

4.2.1 Audit and Risk Committee Self Assessment (Cont.)

Background

Under Section 54(4)(a) of the Local Government Act 2020, the Audit and Risk Committee must undertake an annual assessment of its performance against its Audit Committee Charter and provide a copy of this assessment to the Chief Executive Officer for tabling at the next Council meeting.

In order to meet the requirements of Section 54(4)(a) of the Local Government Act, a survey-based performance assessment was issued to all members of the Audit and Risk Committee (5) and to (5) Council officers including the Chief Executive Officer, Executive Manager Finance and IT, Manager Financial Services, Manager People, Procurement and Innovation, Risk Management Consultant and the Manager Governance and Commercial Property.

Nine responses to the survey were completed with the assessment based on a score out of five across a range of questions aligned to the Committee's charter. In all 41 questions were rated with the ability at the conclusion of the survey to provide some general comments.

Ratings were extremely positive with only seven questions scoring lower than 4.5/5 (5 being excellent). The areas that scored lower than 4.5 were:

- Ensuring that Council maintains and periodically reviews the Councillor and staff code of conducts (3.9)
- Ensuring annual reviews are carried out in respect of the procurement framework (4.3)
- Receiving regular advice from management on any reported fraud occurrence (4.4)
- Ensuring that Council has up to date policies and practices in respect of Protected Disclosures and that these are communicated within the organisation (4.4)
- That key fraud risks are identified and that there is a mature fraud prevention control plan in place (4.2)
- That management provides regular fraud awareness training to staff (4.3)
- Meetings Agendas and supporting papers have been well structured and well written (4.3)

In terms of these assessments, the following observations are noted:

- A report has previously been provided to the Audit and Risk Committee noting Councils review of its Councillor Code of Conduct in March 2021. The staff code of conduct underwent a major review in late 2020 and is amended when needed or new legislative obligations arise. This has not previously been provided to the Committee.
- The Procurement Policy was provided to the Audit and Risk Committee in November 2021 and adopted by Council in December 2021. Annual reviews will be undertaken by the Procurement Steering Committee and reported back to the Audit and Risk Committee if amendments occur.
- Reporting of fraud occurrences are a standing agenda item.
- An internal audit related to Public Interest Disclosures (PID) has recently been completed and is included in the ARC June 2022 agenda.
- The recruitment of a Risk Management Officer is now complete which will allow key staff to update the fraud control plan and report back to the Committee by end of the calendar year 2022.

4.2.1 Audit and Risk Committee Self Assessment (Cont.)

- Fraud awareness and prevention and PID training is scheduled for June 2022 for Directors, Managers and new staff who commenced in the last 12 months. All other staff will occur over 2022-23.
- Several improvements have been made to the agenda and supporting papers including a revamp of the Annual Work Plan to improve alignment with the agenda and Charter, a reduction in the standard periodic financial report, with further improvements on Risk Management reports to occur at a future meeting.

In terms of the general observations of the performance of the Committee the following comments were noted in the survey responses:

- The ARC enjoys very strong support from both Councillor members and from management. This is a critical element in ensuring the ongoing effectiveness of the ARC.
- I think the current meetings work well but Chair should be consistently rotated, even if not desirable, to provide experience to and gain new insights from all external members.
- The current agenda, approach and structure of internal audit is sound and most beneficial for Council. It should continue unchanged.
- Constructive tone and participation by all. Officers' willingness to refine meeting and to continue to improve meeting.
- Providing an environment for open and frank conversations between relevant staff and committee members is critical.
- We need to refine the Annual Work Plan and ensure that meeting agenda are focussed on the requirements of our Charter. I note that Chair has committed to providing a new draft Annual Work Plan to the June 2022 meeting. I would also like to see a strong focus on the strategic risk and risk mitigation activity.
- A new Chair brings a new style and approach - that is change enough.
- Whilst I have indicated some areas for improvement, I wish to acknowledge that most of the key ingredients for a successful ARC are in place and are excellent foundations for any improvements we may decide we want to make.
- Council is well served by an outstanding ARC.
- The committee functions very well and delivers on its remit to the Council.
- Need more information/presentation on climate risks.
- Reporting on open internal actions could be improved and Council is challenged in closing out internal audit actions on a timely basis.
- Not convinced level of resources is adequate or whether ARC has reviewed this.

Overall, the performance of the Audit and Risk Committee has been sound over the past twelve months with a focus moving forward on improvements in risk reporting, quality of reporting, internal control environment and improving the Annual Work Plan to align better with the overall agenda and Charter.

The Audit and Risk Committee considered these outcomes at its meeting held 17 June 2022 and now tables the review to Council in accordance with the Act.

4.2.1 Audit and Risk Committee Self Assessment (Cont.)

Proposal

This report recommends that Council notes the annual assessment of performance against the Charter by the Audit and Risk Committee.

Financial Implications

There are no financial implications associated with this report.

Consultation

The Audit and Risk Committee considered these outcomes at its meeting held 17 June 2022 and now tables the review to Council in accordance with the Act.

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.*

8.1 Community Vision 2040

This report is consistent with the Community Vision 2040 and its accompanying principles.

8.2 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 Council that demonstrates leadership and a commitment to investing in the community.

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.

The Audit and Risk Committee Self-Assessment is largely administrative in nature, but it does establish a framework for the effective oversight of finance and risk management for Council and plays an important role in Council delivering on the financial management principles in the Act.

The tabling of this report to Council also follows the transparency principles in the Act.

4.2.1 Audit and Risk Committee Self Assessment (Cont.)

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 given its administrative nature.

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 content/topic/issue (of this report) is purely administrative in nature and does not benefit any one gender group over any other.

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.

Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability have been considered in the preparation of this report but are not relevant to its contents.

Recommendation

That Council notes the annual assessment of performance against the Charter by the Audit and Risk Committee.

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees

File Id: A8848172

Responsible Officer: Director City Planning Design & Amenity

1. Report Summary

In 2019 Council resolved to undertake a 12-month trial of free on-street parking along Lonsdale Street, between Clow Street and Foster Street. That trial has been twice extended, with the current resolution of Council to extend that to 30 June 2023.

The trial was part of a suite of initiatives which sought to invigorate the retail activity in Dandenong Activity Centre, and in this case in particular for the retail strip along Lonsdale Street. It was extended as part of ongoing efforts to support businesses in the area during the Covid-19 pandemic.

The trial of free on-street parking along Lonsdale Street, between Clow Street and Foster Street has not had the expected beneficial outcomes and to the contrary now appears to be impeding retail activity in the strip. For that reason it is proposed to end the trial as at 30 June 2022, a year earlier than in the existing resolution of Council taken on 27 September 2021.

2. Recommendation Summary

This report recommends that Council:

1. with effect from 30 July 2022, ends the Free Parking Trial on Lonsdale Street, between Clow Street and Foster Street, Dandenong
2. commences a four week trader and community information process in preparation of the reinstatement of paid parking along Lonsdale Street, between Clow Street and Foster Street, Dandenong
3. At the conclusion of the information process in 2. above, reinstates paid parking along Lonsdale Street, between Clow Street and Foster Street, Dandenong.

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

3. Background

Paid parking on Lonsdale Street between Clow Street and Foster Street, Dandenong has been suspended since July 2019. This suspension of paid parking has formed part of a suite of measures over the last three years which have sought to stimulate retail activity in this strip. It has formed part of three previous reports to council on the *State of Dandenong Activity Centre*.

At its meeting on 23 April 2019, in consideration of a suite of interventions to influence increased activity in the Dandenong Activity Centre, council resolved to commence a 12 month Free Parking Trial to 30 June 2020 for the above-mentioned strip of Lonsdale Street, with a report to be brought back to Councillors on the trial results. That resolution included amongst others that no fees be charged for existing and new tables/ chairs for footpath dining.

At its meeting on 27 July 2020 Council was presented with the 12 month review of the suite of actions initiated by virtue of its resolutions on 23 April 2019. While there was no data to indicate that the retail activity of the strip had increased, it was resolved to extend the Free Parking Trial on Lonsdale Street until 30 June 2021. It was also resolved that there be further consultation with the Lonsdale Street traders in response to their feedback on parking time restrictions along the strip.

At its meeting on 27 September 2021 Council resolved amongst others to extend the Free Parking Trial on Lonsdale Street for an additional 2 years, to 30 June 2023 on the proposal to “extend the [Trial] for an additional 2 years to further support business recovery and align with visitor attraction initiatives.”

With the benefit of three years performance of the Free Parking Trial on Lonsdale Street, Dandenong and following recent feedback from Lonsdale Street traders that free parking is now having on customer visitation and access, this report is brought to council with a recommendation that paid parking on Lonsdale Street between Clow Street and Foster Street is reintroduced in the 2022 – 2023 financial year.

4. Discussion and Options

In each of the above-mentioned reports to council the basis of initiating as well as continuing with the Free Parking Trial on Lonsdale Street was that it would support the traders by stimulating customer visitation and retail activity in the strip. The hypothesis, expressed in the 2019 report is that “Alterations to the cost structure of car parking can stimulate increased usage of the parking resources in areas experiencing reduced levels of activity and parking demand.” presumably thereby bringing more retail activity to the strip.

However, even in the 2019 report it noted that “In some locations these interventions have resulted in increased usage {of parking spaces} however, evidence suggests that additional demand is coming from people who are simply relocating from another parking area, as opposed to creating additional visitors.” and that “Once trialled in an area, the changed conditions can be either extended or discontinued depending on the results of the trial.”

In the 27 July 2020 report to Council it was noted that there had been an increase in the amount of feedback from traders relating to parking, with key findings including “An increase in trader circulation in some areas (traders moving their car every few hours and continuing to park within the area), which

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

can be detrimental to availability of parking for customers” The report discussed the need to address this and other parking related issues caused by the parking trial and adversely affecting traders. After consultation with the traders there was not support for changes in the parking restriction times (they were considered to be working). While it was concluded in the 2020 report that “the actions relate to tools and practises within Council’s control, such as ... parking restrictions, ... these have not been transformative, but the changes have been sufficient to warrant recommendations that some measures are extended and/ or expanded.” On that basis the Free Parking Trial on Lonsdale Street was extended until 30 June 2021.

The Free Parking Trial on Lonsdale Street was revisited in the 27 September 2021 report to Council and it was noted in that report in consulting with the Lonsdale Street traders “Most respondents felt that the 2P is misused by people who park in this location but do not shop in this location and that the high parking occupancy detrimentally impacts the ability for customers to access their stores.” High levels of non-compliance with parking restrictions was also noted in the report. Notwithstanding the above, based on the recommendations of officers at that time, Council resolved to extend the Free Parking Trial on Lonsdale Street for two years until 30 June 2023.

A year into this extended period it is apparent that the Free Parking Trial on Lonsdale Street has not had a transformative effect in increasing trading for the strip, and that it actually appears to now be having the opposite effect of acting as a detractor to the increase in retailing in the strip. Recent approaches by some traders in the strip that tenants, owners and staff of Lonsdale Street premises are now using the on-street car parking as convenient free parking during the day (and shuffling their cars every few hours) is making it hard for their customers to find parking outside their retail premises. These recent complaints are consistent with those reported in the above-mentioned September 2021 report.

After three years of free parking on Lonsdale Street usage and behaviour of people parking in the strip has not demonstrably had the effect of increasing the retail activity or reducing vacancy rates along the strip. Free parking was introduced as a trial, and it is fair to conclude that after three years it should be ended. In the last two reports there is more to support the observations that free parking is in effect having an increasingly deleterious impact on the strip’s trading rather than resolving the opposite. Retaining free parking in Lonsdale Street will have an increasingly adverse financial implication for the traders along the strip.

This report now recommends that paid parking be reintroduced to Lonsdale Street between Clow Street and Foster Street, and this be done within the 2022- 2023 financial year following a program of trader and community information sessions.

5. Proposal

This report proposed that paid on-street parking be reintroduced to Lonsdale Street between Clow Street and Foster Street, and this be done within the 2022- 2023 financial year following a program of trader and community information sessions.

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

The reintroduction of paid on-street parking will be done at a parking fee reduced from the current set fee for the area. The fee will be reviewed from time to time. The information campaign will include trader engagement (given that many of them and their employees are currently parking there) and an information program for the casual visitors of the reintroduction of the paid parking status.

6. Financial Implications

In the report of 23 April 2019 it was noted that “Metered parking in Lonsdale Street contributes between \$330,000-\$350,000 to Council revenue annually.” That estimate is consistent with the 27 July 2020 report’s comment that “while the reduced income cannot be accurately predicted due to the ongoing impacts of COVID-19, it is likely that this will be in the region of \$300,000 in lost income.” The 27 September 2021 report estimated the income lost from free parking in Lonsdale Street for the 2021/22 – 22/23 financial years “to be in the region of \$600,000 across the two years.

It is arguable that Council has foregone income of somewhere between \$900,000 and \$1.05M over the last three years and that figure could be between \$1.2M and \$1.5M if the trial was to extend to 30 June 2023 as per the existing resolution taken on 27 September 2021.

Fees generated by on-street parking in Lonsdale Street provide a revenue stream for Council to utilise in maintenance and upgrades of the public realm to increase visitor attraction to the Activity Centre, and that expenditure in Dandenong Activity Centre is strongly argued to be more financially beneficial to the traders than what has been the case by the free parking trial, in addition to the increasingly deleterious impact on the strip’s trading which is now emerging.

There are no financial expenditure implications associated with this report.

7. Consultation

In the course of the three year trial period so far there has been ongoing formal as well as informal consultation with traders as part of the overall exercise for initiatives to see increased retail activity in Dandenong Activity Centre, both before and during the Covid-19 period. Part of that engagement has been specific to the role of parking in Lonsdale Street in seeking to achieve that goal.

More recently some traders in Lonsdale Street have brought to the attention of Council that free parking is now having an adverse impact on their businesses, as has been more fully set out in the “Discussion and Options” section earlier in this report.

8. 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.*

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

Welcome to our exciting and peaceful community.

8.1 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.

8.2 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 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.

9. 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.

The items discussed within this report take into consideration and act in line with the overarching governance principles.

10. 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, in particular through the consultation process and support offered:

- Section 13 – Right to privacy and reputation;
- Section 14 – Right to freedom of thought, conscience, religion and belief;
- Section 15 – Right to freedom of expression;
- Section 18 – Right to have the opportunity to take part in public life and to vote;
- Section 24 - Right to a fair hearing.

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

11. 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 content of this report is purely administrative in nature and does not benefit any one gender group over any other.

12. 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.

Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability have been considered in the preparation of this report but are not relevant to its contents.

13. Related Council Policies, Strategies or Frameworks

The strategies and plans that contribute to the content of this report are:

- Greater Dandenong Municipal Parking Strategy
- Greater Dandenong Activity Centre’s Placemaking Framework
- Local Economic and Employment Development Strategy (LEED)
- Greater Dandenong regional Food Strategy
- City of Greater Dandenong Tourism Strategy and Action Plan

14. Conclusion

The Free Parking Trial on Lonsdale Street, between Clow Street and Foster Street, Dandenong was introduced three years ago with the intention of invigorating retail activity along the shopping strip. It was subsequently extended as one of the initiatives of this Council’s support to businesses during the Covid-19 pandemic. The loss of revenue for financial investment in the Dandenong Activity Centre’s maintenance and upgrades will have a longer-term debilitating impact on retail recovery than any short term benefits expected from ongoing free parking, and that coupled with support for the case that free parking in Lonsdale Street is now becoming counter-productive to retail recovery, strengthens a recommendation for an end to the trial of Free Parking in Lonsdale Street.

4.2.2 Lonsdale Street Parking Meters: Recommencement of Fees (Cont.)

15. Recommendation

That Council:

- 1. with effect from 30 July 2022, ends the Free Parking Trial on Lonsdale Street, between Clow Street and Foster Street, Dandenong;**
- 2. commences a four week trader and community information process in preparation of the reinstatement of paid parking along Lonsdale Street, between Clow Street and Foster Street, Dandenong;**
- 3. at the conclusion of the information process in 2. above, reinstates paid parking along Lonsdale Street, between Clow Street and Foster Street, Dandenong.**

4.2.3 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Manager Governance
Attachments:	Correspondence Received 20 June

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 20 June – 1 July 2022.

Recommendation

That the listed items provided in Attachment 1 for the period 20 June – 1 July 2022 be received and noted.

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

**LIST OF REGISTERED CORRESPONDENCE TO MAYOR AND
COUNCILLORS**

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
20 JUNE – 1 JULY 2022**

PAGES 3 (including cover)

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

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 20/06/22 & 01/07/22 - for officer action - total = 1

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A letter of complaint from a trader regarding the state of the laneway that runs parallel to Ian Street in Noble Park causing danger to vehicles and pedestrians, especially disabled persons.	17-Jun-22	21-Jun-22	fA248256	Mayor and Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 20/06/22 & 01/07/22 - for information only - total = 3

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A request on behalf of St. Joseph's Church, Springvale for Council to intervene in the removal of an abandoned vehicle dumped at the church site.	30-Jun-22	30-Jun-22	A8892735	Mayor and Councillors EA
Advice from the Department of Home Affairs in relation to its publishing of citizenship ceremony details online.	01-Jul-22	01-Jul-22	A8896403	Mayor and Councillors EA
A letter to the Mayor from the new Minister for Local Government, the Hon Melissa Horne MP.	01-Jul-22	01-Jul-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.

5.1 Notice of Motion No.19 - Council Support and Advocacy for Sri Lanka

File Id:

Responsible:

Director Community Services

Author:

Cr Rhonda Garad & Cr Eden Foster

Proposed Meeting Date:

11 July 2022

Preamble

The seriousness of the current situation in Sri Lanka was elucidated by Prime Minister Ranil Wickremesinghe when he told parliament recently that after months of shortages “our economy has completely collapsed” with the prospect of widespread starvation across the whole population.

The country of 22 million people is suffering from crippling foreign debt (US\$51bn), record inflation of between 30 to 40%, fuel shortages preventing travel to work or education, lack of funds to pay government wages, and the near collapse of the health system. Whilst the World Bank is providing short term funds, the situation is likely to worsen due to the fundamental instability of the economy.

The peak body for Australian aid organisations and humanitarian agencies is calling on the Australian government to urgently boost humanitarian aid towards Sri Lanka, to help address the economic crisis and looming food security issues there. [ACFID – the Australian Council for International Development has called on Australia to contribute \\$A10 million in immediate funds to Sri Lanka.](#)

Australia and Sri Lanka share a history of cooperation in trade and investment, education, sport, culture and development. The two countries recently celebrating 75 years of diplomatic relations (2022), engaging on a wide range of issues, from cooperation on economic, security and development priorities, to human rights and reconciliation. Assisting Sri Lanka is consistent with Australia's strategic aims in the region.

The City of Greater Dandenong has a large Sri Lankan diaspora, with the 6300 strong community having made a great contribution to our community. Many in the community are having to financially support family members as the economy in Sri Lanka collapses.

5.1 Notice of Motion No.19 - Council Support and Advocacy for Sri Lanka (Cont.)

Motion

That Council:

- 1. shows solidarity and support to Sri Lankans and their families living in the Greater Dandenong area who are under duress knowing that their family members are suffering in Sri Lanka; and**
- 2. writes to the Federal Minister for Immigration, the Hon Andrew Giles MP, requesting that the Australian Federal Government;**
 - 2.1 grants Sri Lankans (Tamil, Muslim, Christian and Sinhalese people) humanitarian refugee status immediately, above the annual quota;**
 - 2.2 desists from sending Sri Lankans back to a country at this time to face certain harm; and**
 - 2.3 provides direct Australian humanitarian aid to Sri Lanka that is consistent with the request of ACFID for those people suffering from chronic food and fuel shortages.**

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.