



**GREATER
DANDENONG**
City of Opportunity

MINUTES

COUNCIL MEETING

MONDAY 12 DECEMBER 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 Jim Memeti
Cr Tim Dark
Cr Sean O'Reilly

Councillors Present

Cr Eden Foster (Chair)

Cr Lana Formoso, Cr Rhonda Garad, Cr Angela Long, Cr Richard Lim OAM, Cr Bob Milkovic,
Cr Sophie Tan, Cr Loi Truong.

Officers Present

Paul Kearsley, Acting Chief Executive Officer, Jody Bosman, Director City Planning, Design and Amenity, Jim Davine, Acting Director Community Services, Kevin Van Boxtel, Acting Director of Business, Engineering & Major Projects, Michelle Hansen, Executive Manager Finance and Information Technology, Kylie Sprague, Executive Manager Communications and Customer Service, Lisa Roberts, Manager Governance.

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

Council acknowledges the Traditional Owners and Custodians of this land, the Bunurong people and pays 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

All remained standing as Reverend Graeme Peters from the Saint James' Anglican Church Dandenong, a member of the Greater Dandenong Interfaith Network, read the following prayer:

"God of justice and mercy, thank you for the gift of life, and the opportunity to serve the people of our City of Greater Dandenong.

We thank you for all the good work done by this Council in service to their community over this past year, and for this final meeting for this year, we pray your blessing on all the ongoing endeavours and projects of this Council.

*As we draw near to Christmas, and we reflect on the Advent themes of Peace, Hope, Love and Joy, we ask that you would grant **peace** to our City and an end to conflict and violence, **hope** to our young people and opportunities to learn and to work, **joy** to all who live in this city, and especially to those suffering bereavement, loss, and illness and overall, we pray that we might learn to **love** and respect and to cherish each other in all our diversity.*

In this meeting, help us to listen to each other with understanding and good-will, help us to speak with charity and restraint, help us to act with character and conviction and help us always to seek the good of this City and its people.

And as the year draws to an end, we ask that you would give rest to our Councillors in the coming break. May they have precious times with family and loved ones as they reflect on this past year and celebrate this festive season and your great gift of love.

Renew us all so that with fresh eyes, warm hearts, and renewed vigour we might continue to serve the good people of Greater Dandenong into the coming year.

We ask all this in your loving name,

Amen."

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 28 November 2022.

Recommendation

That the minutes of the Meeting of Council held 28 November 2022 be confirmed.

MINUTE 639

Moved by: Cr Lana Formoso

Seconded by: Cr Richard Lim OAM

That the minutes of the Meeting of Council held 28 November 2022 be confirmed.

CARRIED

1.5 DISCLOSURES OF INTEREST

Cr Sophie Tan disclosed an Indirect Material Conflict of Interest of a Pecuniary nature (s. 128 of the *Local Government Act 2020*) in Item No. 4.4.5 Community Support Grants Round 2 2022, as she is a member of the Cambodian Association of Victoria which is a recipient of one of the grants provided as detailed in attachment 1. Cr Sophie Tan left the Chamber prior to discussion and voting on this item.

1.6 ADOPTION OF THE AUDIT AND RISK COMMITTEE MEETING MINUTES

The Audit and Risk Committee held a meeting on 18 November 2022 and Minutes of this meeting, as summarised in the following table, are presented to Council for adoption.

Item	Topic
1.	<p>The Audit and Risk Committee reviewed, discussed and noted the following reports with Council officers and the internal auditor:</p> <ul style="list-style-type: none">• South East Leisure Pty Ltd (SEL) – Financial and Report of Operations September 2022• Response to State Government Auditor-Generals Office reports on Grant-Making in 2022
2.	<p>The Audit and Risk Committee reviewed its Annual Work Plan and Council's rolling Internal Control Environment Plan.</p>
3.	<p>The Audit and Risk Committee noted a number of Council reports submitted to the Committee which included the following:</p> <ul style="list-style-type: none">• Summary Financial Report 1 July 2021 – 30 September 2022• Status on Internal Audit Actions• Internal Audit Program Update• Integrity Body Reports• Information Security Policy• Risk Management Report• IT Vulnerability Assessment and Annual Penetration Test Update

Recommendation

That the unconfirmed minutes of the Audit and Risk Committee meeting held on 18 November 2022 be adopted.

1.6 ADOPTION OF THE AUDIT AND RISK COMMITTEE MEETING MINUTES (Cont.)

MINUTE 640

Moved by: Cr Loi Truong
Seconded by: Cr Richard Lim OAM

That the unconfirmed minutes of the Audit and Risk Committee meeting held on 18 November 2022 be adopted.

CARRIED

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 12 December 2022 for signing and sealing as follows:

1. A letter of recognition to Anita Carpeggiani, Community Services for 10 years of service to the Greater Dandenong City Council;
2. A letter of recognition to Minh Du Huynh, Community Services for 10 years of service to the Greater Dandenong City Council; and
3. A letter of recognition to Natasa Kricka, Community Services for 10 years of service to the Greater Dandenong City Council.

Recommendation

That the listed documents be signed and sealed.

MINUTE 641

Moved by: Cr Angela Long
Seconded by: Cr Rhonda Garad

That the listed documents be signed and sealed.

CARRIED

2.2 DOCUMENTS FOR TABLING

2.2.1 Documents for Tabling

File Id: qA228025
Responsible Officer: Manager Governance

Report Summary

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

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

Recommendation Summary

This report recommends that the listed items be received.

2.2.1 Documents for Tabling (Cont.)

List of Reports

Author	Title
Wellsprings for Women	Annual Report 2021-2022

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

Recommendation

That the listed items be received.

MINUTE 642

Moved by: Cr Rhonda Garad
Seconded by: Cr Lana Formoso

That the listed items be received.

CARRIED

2.2.2 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.

Recommendation Summary

This report recommends that the listed items in Attachment 1, and the current status of each, be received and noted.

2.2.2 Petitions and Joint Letters (Cont.)

Petitions and Joint Letters Tabled

Council received no new petitions and no joint letters prior to the Council Meeting of 12 December 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.

MINUTE 643

Moved by: Cr Loi Truong
Seconded by: Cr Rhonda Garad

That this report and Attachment be received and noted.

CARRIED

2.2.2 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 6 (including cover)

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

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>PETITION TO CONSIDER THE RESURFACING OF ERICKSEN GARDENS</p> <p>This petition draws to the attention of Greater Dandenong Council that there are many elderly mobility limited community members residing in the Ericksen Gardens area. The gravel is not an appropriate finish for residents using mobility equipment such as wheelchairs and walkers, making transit between zones a potential hazard, uncomfortable and difficult.</p> <p>We the undersigned, therefore request Council to consider the resurfacing of gravel link at Ericksen Gardens between Buckingham Avenue and Luxford Court to an appropriate concrete finish.</p>	18	Completed	<p>Responsible Officer: Manager, Transport and Civil Development.</p> <p>Acknowledgment letter sent 18/10/2022 to head petitioner.</p> <p>Notification letter sent 21/11/22 to head petitioner.</p>
18/10/22	<p>JOINT LETTER FOR COUNCIL TO CONDUCT A FURTHER REVIEW ON THE SAFETY CONCERNS SURROUNDING BALMORAL AVENUE ROUNDABOUT</p> <p>On behalf of our community, I request that Council conduct a further review on the safety concerns surrounding the Balmoral Avenue Roundabout. This review is requested due to the following reasons:</p> <p>1)Clarity required around Risk Assessment In a report published by the Council's Road Safety Team ('Balmoral Report'), the road safety risk for this area is deemed 'lower than at many other locations within the municipality (due to low speed traffic)'. While speed is a factor to consider, other factors need to be taken into account such as the high volume of pedestrian and vehicle traffic in this area, the prominence of this location and the strong community feedback and concern.</p> <p>We request the Council provide transparency around its risk assessment process of the Balmoral Avenue Roundabout including what factors were considered (other than 'low speed traffic'), how these factors were weighed against each other, and how often monitoring of the area has occurred.</p>	169	Completed	<p>Responsible Officer: Manager, Transport and Civil Development</p> <p>Acknowledgement letter sent 18/10/2022 to head petitioner.</p> <p>Tabled at CM 18/10/22</p> <p>Responsible Officer: Manager, Transport and Civil Development.</p> <p>Decision letter sent 28/10/2022 to head petitioner.</p>

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

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>JOINT LETTER FOR COUNCIL TO CONDUCT A FURTHER REVIEW ON THE SAFETY CONCERNS SURROUNDING BALMORAL AVENUE ROUNDABOUT</p> <p>2) Clarity required around Reported Accidents The Balmoral Report states there have been no recorded accidents at this location within the last 5- years.</p> <p>The residents and visitors of Springvale have witnessed several vehicle and pedestrian incidents in the Balmoral Avenue Roundabout area over the past few years, ranging from near miss accidents to more severe accidents requiring ambulance services.</p> <p>We request the Council to explain the process of how it records accidents in this area - for example are these records based on direct reports from residents, from security or traffic cameras, or from other authorities?</p> <p>Furthermore, what is the Council's definition of an 'accident'? Does this include near miss accidents? These explanations from Council are important for us to understand the integrity and scope of the underlying recorded accidents data.</p> <p>3) Clarity required around Costs in the Balmoral Report, there is reference to 'moderate cost' for installing a Zebra Crossing, and 'high cost' for installing Traffic Signals.</p> <p>Can Council provide insight into approximately how much these options would cost? The Balmoral Report notes these costs as a disadvantage, but without any clarity as to how much these options cost and how this cost compares to similar projects Council has undertaken, it is difficult to understand this assessment.</p> <p>While cost is a consideration, we do note that our community does pay Council Rates in expectation that Council will use these funds to provide the appropriate services and support to our community. Using these funds to address the safety concerns around Balmoral Avenue Roundabout falls</p>			

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

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>JOINT LETTER FOR COUNCIL TO CONDUCT A FURTHER REVIEW ON THE SAFETY CONCERNS SURROUNDING BALMORAL AVENUE ROUNDABOUT</p> <p>4) Action is required after years of no response. I have first raised safety concerns around Balmoral Avenue Roundabout since November 2016, through a written letter to the Councillors with an attached petition of 74 signatories who shared my concerns. However, since that time no action has been taken by Council to address this situation.</p> <p>I urge Council, on behalf of our community, to take these safety concerns seriously and review this as an urgent priority. I have attached an updated</p>			
31/07/22	<p>PETITION TO INSTALL ADDITIONAL STREET LIGHT ON THE NATURE STRIP OF 4 HANLETH AVENUE, SPRINGVALE</p> <p>I have noticed that it is quite dark along our area of the street during the night and would like to request a light to be put in on the light pole that is on the nature strip of property 4 Hanleth Avenue, Springvale 3171. This will make this area considerably safer at night when driving.</p> <p>I have spoken to the surrounding neighbours and the following residents agree that this will help with increasing road safety at night.</p> <p>I hope you can assist in providing an additional light in this area.</p>	7	Completed	<p>Responsible Officer: Manager, Infrastructure Services and Planning.</p> <p>Notification letters sent 14/11/2022 to head petitioner by Responsible Officer.</p>

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

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>JOINT LETTER FOR COUNCIL TO REVIEW PARKING RESTRICTIONS TO THE PARALLEL PARKING AREA LOCATED BETWEEN 175-235 SPRINGVALE ROAD, SPRINGVALE</p> <p>On behalf of the shop owners in the affected area, I am writing to express our concern about the new parking restriction on the abovementioned parallel parking area. The "no standing" sign between 3pm to 7pm, Monday to Friday has strongly impacted our business, as this time frame is our busiest trading time throughout the day. We have found our recent sales to drop by 30%-60% in most cases.</p> <p>As a result, we would like to request for a review of the current parking restriction and revert back to the parking condition of 2 hours parking between 9am to 6pm, Monday to Friday.</p> <p>The COVID-19 pandemic has already made it tough for many small businesses like ours to stay afloat. Your decision to allow parking between our core business hours will be vital in keeping our business trading.</p>	20	Completed	<p>Responsible Officer: Manager, Transport and Civil Development</p> <p>Acknowledgement letter sent 19/09/2022 to the head petitioner.</p> <p>Progress letter sent 21/10/2022 to head petitioner.</p> <p>Notification letters sent 14/11/2022 to petitioners by Responsible Officer.</p>

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

2.2.2 Petitions and Joint Letters (Cont.)

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2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396)

File Id:	132075 and 132080
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 55 Assessment Clause 52.06 Assessment

Application Summary

Applicant:	Bello Designs Pty Ltd C/- Songbowden Planning Pty Ltd
Proposal:	Development of the land for five (5) dwellings comprising four (4) (1) single storey dwelling.
Zone:	General Residential Zone – Schedule 1
Overlay:	No overlays apply to the site
Ward:	Yarraman

The application proposes the development of the land for five (5) dwellings comprising four (4) double storey dwellings and one (1) single storey dwelling.

A permit is required pursuant to Clause 32.08-6 of the Greater Dandenong Planning Scheme to construct two (2) or more dwellings on a lot in a General Residential Zone.

The application has been brought before the Council because it has received three (3) objections.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Objectors Summary

The application was advertised to the surrounding area through the display of a notice on-site, and the mailing of notices to adjoining and surrounding owners and occupiers. Three (3) objections were received to the application.

Issues raised generally relate to matters of:

- Privacy;
- Fire safety;
- Air emissions during construction;
- Traffic and parking issues;
- Neighbourhood character;
- Waste collection;

Assessment Summary

The subject site is well suited for medium density housing given the subject sites distance from Noble Park Activity Centre, public transport and other services.

The development is respectful of the neighbourhood character by providing centralised double storey built form positioned to the front and centre of the site, and a single storey form towards the rear of the site. The proposal incorporates adequate setbacks from the front, side and rear boundaries for landscaping. It is considered that the development is site responsive and would contribute positively to the surrounding area.

The proposal would meet Council's expectations for medium density development which is guided by the policy expectations and design principles of Clause 22.09 Residential Development and Neighbourhood Character and the objectives of Clause 55 Two (2) or more dwellings on a lot.

The proposed development of the land for five (5) dwellings has been assessed against the relevant decision guidelines and is considered appropriate, subject to permit conditions.

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, subject to permit conditions. 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. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Subject Site and Surrounds

Subject Site

The subject site comprises of 15 and 17 Barnett Grove, and the lots are located on the northern side of Barnett Grove in Noble Park.

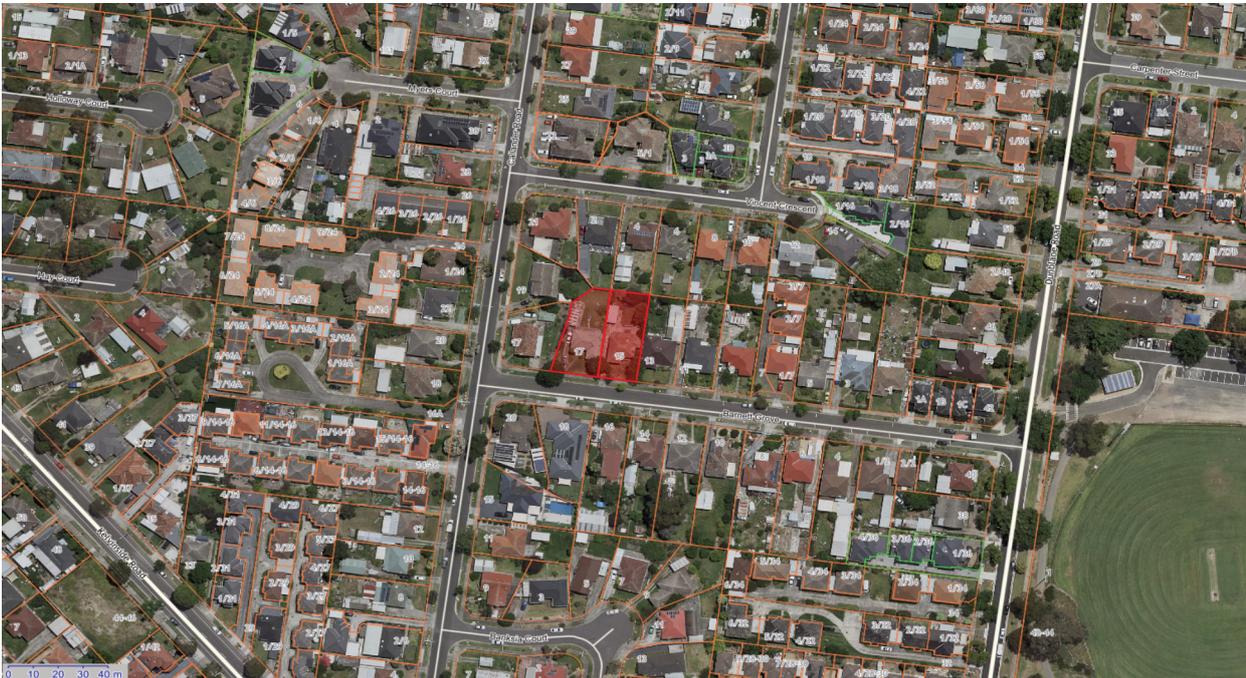
- The lots are irregular in shape and have a combined frontage of 34.6 metres and a depth of 38.4 metres.
- The overall site area is 1,191 square metres.
- A single storey dwelling is currently located on each lot with associated detached garages and sheds beside each dwelling.
- Access to each site is via a single crossover adjacent to the eastern side of the site.
- The site gradually slopes away from Barnett Grove, with the lowest point provided at the northern rear boundary.
- The site has scattered vegetation present to the front and rear of the existing dwelling detached garage and shed are located along the northern boundary.
- A 1.83 metre wide drainage and sewerage easement is located along the western (rear) boundary.

Surrounding Area

- The surrounding land within Barnett Grove is zoned General Residential Zone - Schedule 1.
- Existing development within the immediate vicinity consists of single storey dwellings comprising older housing stock. In the wider area, a level of infill development has occurred comprising of multi unit developments that are double storey in height.
- Barnett Grove runs east to west connecting to Callandar Road to the west, with Dunblane Road to the east.
- The Noble Park Activity Centre and train station are located approximately 500 metres to the southwest, as the crow flies.
- The following residential properties abut the site;
 - To the northern side boundary, there are three lots comprising of one (1) single storey detached dwelling on each lot with areas of secluded private space at the rear of the dwellings;
 - To the eastern side boundary, there is a single storey detached dwelling and associated carport;
 - To the western boundary, there is a single storey dwelling with a frontage to Callandar Road and a sideage to Barnett Grove. The dwelling includes a detached garage to the side and secluded private open space directly abutting the subject site.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Locality Plan



2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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 five (5) dwellings. The details of the proposal are as follows:

Type of proposal	Multi-dwelling development
Number of dwellings	Five (5) dwellings in total
Number of bedrooms	Dwelling 1: Four (4) bedrooms Dwelling 2: Four (4) bedrooms Dwelling 3: Four (4) bedrooms Dwelling 4: Three (3) bedrooms Dwelling 5: Two (2) bedrooms
Levels	Dwellings 1-4 propose double storey, Dwelling 5 proposes single storey
Height	Maximum height of 7.7 metres
Orientated to	Dwellings 1-3 are orientated to the Barnett Grove and Dwellings 4 and 5 are orientated to Barnett Grove via an internal accessway.
External materials	Ground floor: Brickwork First floor: Render and timber cladding Garage: Sectional panel lift door
Minimum Setbacks	North (rear): Dwelling 5 garage and laundry wall on boundary, dwelling setback 2.0 metres West (side): Dwelling 3 garage wall on boundary, dwelling setback 2.0 metres South (frontage to Barnett Grove): minimum 6.8 metres

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>East (side): Dwelling 1 garage wall on boundary, dwellings setback 1.0 metre</p>
<p>Private open space type</p>	<p>Ground floor private open space</p> <p>Dwelling 1: Total private open space: 80sqm. Of this, 44sqm of secluded private open space</p> <p>Dwelling 2: Total private open space: 77sqm. Of this, 34sqm of secluded private open space</p> <p>Dwelling 3: Total private open space: 122sqm. Of this, 50sqm of secluded private open space.</p> <p>Dwelling 4: Total private open space: 86sqm. Of this all 86sqm comprise of secluded private open space.</p> <p>Dwelling 5: Total private open space: 56sqm. Of this all 56sqm comprise of secluded private open space.</p>
<p>Number of car parking spaces required</p>	<p>Two car parking spaces are required for each three or more bedroom dwelling, and one car space required for each one or two bedroom.</p> <p>Dwellings 1-3 propose four bedrooms and Dwelling 4 proposes three bedrooms. Therefore, two spaces are required to each dwelling.</p> <p>Dwelling 5 proposes two bedrooms, therefore, one space is required.</p> <p>In addition, the site is not located within the Principal Public Transport Network, therefore one (1) visitor car space is required.</p> <p>A total of ten (10) car parking spaces are required.</p>
<p>Number of car parking spaces provided</p>	<p>A total of ten (10) car parking spaces are provided.</p>
<p>Type of car parking</p>	<p>Dwellings 1 and 3 afford a single garage and tandem car space.</p> <p>Dwellings 2 and 4 afford a double garage.</p> <p>Dwelling 5 affords a single garage.</p> <p>One (1) visitor car space is located in common property.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Access	The existing crossover is proposed to relocate 2.3m to the west and provide access along the southern boundary to Kirkham Road. A common accessway with a minimum width of 3.0 metres is proposed to serve each dwelling.
Front fence	No front fence proposed.

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:

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 (2) or more dwellings on a lot.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Overlay Controls

No overlays affect the subject site or surrounding area.

Planning Policy Framework

The **Operation of the Planning Policy Framework** outlined at Clause 71.02 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.

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

Clause 11 Settlement

Clause 11 (Settlement) encourages planning to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services. It also encourages planning to contribute towards diversity of choice, energy efficiency, a high standard of urban design and amenity, and land use and transport integration.

Further guidance is provided by **Clause 11.01-1S (Settlement)**, which seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. It includes strategies to develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Clause 15 Built Environment and Heritage

Clause 15 (Built Environment and Heritage) states that planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

It adds that planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

According to the clause, planning should promote excellence in the built environment and create places that:

- *Are enjoyable, engaging and comfortable to be in.*
- *Accommodate people of abilities, ages and cultures.*
- *Contribute positively to local character and sense of place.*
- *Reflect the particular characteristics and cultural identity of the community.*
- *Enhance the function, amenity and safety of the public realm.*

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

These overall objectives are reinforced by a number of sub-clauses, including **Clause 15.01-1S (Urban design)** and **Clause 15.01-1R (Urban design – Metropolitan Melbourne)**, which seek to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-2S (Building design) aims to achieve building design outcomes that contribute positively to the local context and enhance the public realm, while **Clause 15.01-5S (Neighbourhood character)** has an objective to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.01-4S (Healthy neighbourhoods) has an objective to achieve neighbourhoods that foster healthy and active living and community wellbeing. **Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)** reinforces this, with a strategy to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Clause 16 Housing

Clause 16 (Housing) contains two key objectives, which can be summarised as relating to housing diversity, sustainability of housing and the provision of land for affordable housing.

These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S (Housing supply)**, which seeks to facilitate well-located, integrated and diverse housing that meets community needs, and **Clause 16.01-2S (Housing affordability)** which seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-1R (Housing supply – Metropolitan Melbourne), includes several strategies to manage the supply of new housing including, increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport; as well as a strategy that allows for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Clause 18 Transport

Clause 18.01-1S (Land use and transport planning) has a strategy to plan urban development to make jobs and community services more accessible by ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 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:

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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.*
 - *Encourage innovative architecture and building design.*
 - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*

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- *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.*
- *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:*

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- *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 are as follows:

- *Preferred housing type – The preferred housing type for the Incremental Change Area is medium density.*
- *Building Height – The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.*
- *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.*
- *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 carport and garages in the street.*
- *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.*

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- *Bulk and 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;*
 - *Provide separation between dwellings at 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.*
- *The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*
- *Two storey dwellings to the rear of a lot may be considered where:*
 - *The visual impact of the building bulk does not adversely affect the identified future character of the area;*
 - *Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;*
 - *The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;*
 - *Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;*
 - *Upper storey components are well recessed from adjoining sensitive interfaces.*
- *Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.*

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-2 notes that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

The required spaces are identified in the table to Clause 52.06-5. Clause 52.06-3 further notes that a permit may be granted to reduce or waive the number of car spaces required by the table.

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

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

An assessment against Clause 52.06 is included as Attachment 5 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.*

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 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 4 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.

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.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 objection
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 two (2) signs on site facing Barnett Grove.

The notification has been carried out correctly.

Council has received three (3) objections to date.

The location of the objectors / submitters is shown in Attachment 2.

Consultation

A consultative meeting was not held for this application as the threshold of four (4) objections received was not met.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Summary of Grounds of Submissions/Objections

- Privacy;
- Fire safety;
- Air emissions during construction;
- Traffic and parking issues;
- Neighbourhood character;
- Waste collection;

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

- **Privacy**

Habitable room windows of the proposed development which have the opportunity of overlooking into habitable room windows and the secluded private open space areas of the adjoining properties, propose obscure glazing in the portion of window below 1.7 metres above floor level, or propose sill heights of at least 1.7 metres above floor level. Permit conditions will require the plans to specify fixed glazing in accordance with Standard B22 and the overlooking objective of Clause 55.04-6 in the Planning Scheme.

- **Fire Safety**

Fire hydrants are provided within a distance of 120 metres from the rear of each lot. The maximum distance is 87 metres to the rear of Dwelling 5 on 15 Barnett Grove.

In addition, all residential dwellings are required to be constructed in accordance with nationwide building codes and regulations regarding fire safety.

- **Air Emissions During Construction**

Air emissions generated by the construction and demolition of dwellings is a matter which is outside the scope of the Planning Scheme to consider and is subject to the Environment Protection Act 2017 and Environment Protection Regulations 2021.

- **Traffic and Parking Issues**

The car parking requirement for three or more bedrooms (Dwelling 1-3 propose four bedrooms and Dwelling 4 proposes three bedrooms) is two car spaces. To each one or two bedroom (Dwelling 5 proposes two bedrooms), one car space is required. One visitor car space is required. The proposal provides a total of 10 car spaces which can be fully accommodated within the site boundaries.

Noise generated by additional vehicles on site would be minimal considering the existing dwelling has the capacity to accommodate several vehicles throughout the site along the accessway and within the garage. The proposed development would constrain the number of vehicles on site and traffic movements on site to 10 vehicles.

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Council's Transport Planning Unit have reviewed the proposed development and have no concerns with the proposed development including the provision of car parking on the subject site or the effect of traffic from the proposed development on the surrounding area.

Car movements are also considered to be a normal element of residential living, and the number vehicles proposed is not considered to adversely impact on the amenity of the area.

- **Neighbourhood Character**

The proposed development has appropriately responded to the existing and preferred character of the area through the use of boundary setbacks at both ground and first floor, building height, landscaping opportunities and proposed external colours and materials which are consistent with other single dwellings within the immediate area, as well as other multi-unit developments. The proposal has been assessed against the provisions of Clause 22.09 – Residential Development and Neighbourhood Character Policy and the proposal complies with this policy. Therefore, the proposal is considered to be an acceptable response for this site.

- **Waste Collection**

The proposal provides adequate space to accommodate three bins within the secluded private open space areas of each dwelling. In addition, the proposal seeks to utilise two existing crossovers to Barnett Grove, and provide one new crossover along the eastern boundary. Permit conditions will require a Waste Management Plan to ensure waste collection is appropriately managed by future residents, and unlikely to result in amenity impacts.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Assessment

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing five (5) dwellings where previously two (2) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

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

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

The proposal complies with all requirements of these clauses except in the instances detailed below, where variations or conditions are required.

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 buildings and works, which is discussed below.

Development and Landscaping

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 55 Two or more dwellings on a lot;
- Clause 52.06 Car parking; and
- Clause 22.09 Residential Development and Neighbourhood Character.

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.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 located within an area subject to incremental change, comprising of a moderate level of infill development, including recent double storey detached dwellings of a similar scale and massing. The proposal's compliance with Clause 22.09 and Clause 55 (subject to conditions) 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

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. Matters that warrant further discussion are as follows:

Bulk and Built form

It is considered that the proposed construction of Dwelling 4 in a double storey format to the rear of the site is an acceptable inclusion in this instance.

The dwelling provides a minimum 6.1m setback from the rear boundary and minimum 4.3m from the side boundary at upper level. The upper floor is well recessed from the ground floor footprint and provides articulation through modulation and a variation in materials and finishes. Suitable setbacks are provided at ground level to accommodate for screen planting and canopy tree planting. These elements reduce the building bulk and visual impact from the directly adjoining sensitive interfaces. Therefore, the double storey form of Dwelling 4 is considered appropriate in this instance and worthy of support.

The upper storey form of Dwellings 1-3 are positioned towards the front and centre of the site. The attached upper levels of Dwellings 1 and 2 is considered appropriate as the built form is centralised and positioned towards the front of the site. Generous separation between Dwellings 2 & 3 and 3 & 4 are provided with distances of 4.8m and 5.8m, respectively.

The dwellings provide an adequate level of modulation and variation in materials to articulate the built form. To provide further clarity on the plans, permit conditions will require an updated schedule of external materials and finishes to accurately reflect the brick, render and timber cladding shown on the elevation plans.

Overall, the proposal meets the bulk and built form design principles and is worthy of support.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Internal Amenity

The internal amenity provided to Dwellings 1 and 2 are considered to be disproportionate to the number of future occupants associated with a four bedroom dwelling.

The kitchen, living and dining areas of each dwelling are described as follows:

- Dwelling 1 – 28sqm (7.5m x 4.1m), noting access to the laundry cupboard is via the living room.
- Dwelling 2 – 25sqm (5.2 x 4.7m).

These areas will include kitchen counters, and furnishings such as couches, tables, chairs, storage cupboards and shelves. When compared to other elements of a residential dwelling, these areas are less than the size of a double car garage which measures 33 square metres in area.

It is considered that a permit condition is required increase these areas to improve useability and amenity for the sake of future residents. This can be accomplished by way of deleting the ground floor ensuites and walk in robes and increasing the overall size of the kitchen, living and dining areas.

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

Clause 55 Assessment

A Clause 55 Assessment is attached to this report at Attachment 4. Standards that warrant further consideration are discussed as follows:

Clause 55.03-1 Street Setback objective

Relevant objectives:

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

Relevant standard:

- *Walls of buildings should be set back from streets:*
 - *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.*
- *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.*
- *Front setback in Schedule 1 to the General Residential Zone is 7.5m.*

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The minimum front setback requirement is 7.5m. The street setback proposed for Dwelling 1 and 2 is 6.4m to the blade wall between the dwellings, and 7.5m to the front façade. Therefore, the blade wall does not comply as it extends to the upper level of the dwelling. It is the officer recommendation that it be reduced to the height of the ground floor to ensure compliance.

Additionally, Dwelling 3 provides a 6.8m front setback which does not comply with the standard. However, the dwelling is located adjacent to the corner site at 17 Callandar Road, which provides a side setback to Barnett Grove of approximately 5.9m.

In addition, the prevailing setbacks of the existing dwellings directly adjacent to the subject site is 6m. The proposed street setback for Dwelling 3 would respect the predominant built form, façade and street pattern.



The reduced front setback of Dwelling 3 is very minor (70cm), and will not unreasonably impact the provision of landscaping within the front setback as sought by the neighbourhood character objectives in Clause 22.09. The development has the capacity to provide high quality landscaping and canopy tree planting within the front setback.

For the reasons above, the variation to the standard for Dwelling 3 is considered appropriate and would be consistent with the existing character of the surrounding area.

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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 not within the Principle Public Transport Network area map. Land that is not within the Principal Public Transport Network area map is not exempt from providing visitor car space for development of five (5) or more dwellings.

A total of ten (10) car parking spaces are required inclusive of one (1) visitor car space.

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 nine (9) car parking spaces for the dwellings. One (1) additional car parking space is provided for visitors, resulting in a total of ten (10) car parking spaces being provided on site. 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. A full Clause 52.06 assessment is attached to this report at Attachment 5.

Aboriginal Cultural Heritage Sensitivity

The subject site is not identified as an area of aboriginal cultural heritage sensitivity.

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 57% 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:

- Specification of the uses of the collected rainwater including the number of toilets
- Specification of all habitable room windows as double glazed
- Location of any additional water sensitive urban design measures (such as permeable concrete or raingardens) necessary to satisfy water quality requirements for the site.
- Incorporation of an operable door to the ground floor of units DW1 and DW 2 that separates the stairwell from the kitchen/dining areas

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BESS Information Summary Dwelling Type: Non-residential		Project Overall Score: 57%		
		Fail	Best Practice	Design Excellence
		(<49%)	(50-69%)	(>70%)
BESS Category	Score	Initiatives		
Management	16%	Requires update		
		<ul style="list-style-type: none"> Preliminary energy rating (NatHERS) assessment to be undertaken 		
Water	50%	To be revised		
		<ul style="list-style-type: none"> Rainwater tank capacity of 3,000L per dwelling connected to: 		
		Toilet flushing (extend of toilets to be confirmed)		
		<ul style="list-style-type: none"> High WELS star rated water fittings, fixtures and appliances 		
		<ul style="list-style-type: none"> Potable water consumption reduced by at least 28% compared to same building following minimum standards 		
Energy	50%	Pending confirmation		
		<ul style="list-style-type: none"> Sample energy rating (NatHERS) to be undertaken 		
		<ul style="list-style-type: none"> High efficiency 6-star gas instantaneous hot water system specified 		
		<ul style="list-style-type: none"> Estimated greenhouse gas emissions reduced by 67% compared to compared to same building following minimum standards 		
Stormwater	100%	Pending confirmation		
		<ul style="list-style-type: none"> Stormwater design to meet industry best practice requirements though incorporation of rainwater collection and re-use and other measures to be demonstrated 		
Indoor Environment Quality	80%	Requires update		
		<ul style="list-style-type: none"> Double glazing to all habitable room windows 		

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

		<ul style="list-style-type: none">• Living spaces oriented north
Transport	66%	
		<ul style="list-style-type: none">• Space for bicycle parking in each dwelling garage
Waste	0%	To be revised
Urban Ecology	0%	To be revised

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 15 and 17 Barnett Grove, Noble Park (Lots 20 and 21 LP 40368), for the ‘development of the land for five (5) dwellings comprising four (4) double storey dwellings and one (1) single storey dwelling’, 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. Dwellings 1 and 2 amended as follows:**

- 1.1.1. Deletion of the ensuite and linen cupboard of Dwelling 1 at ground floor; relocation of the laundry and powder room; and an increase to the depth of the living area to a minimum 5.0 metres.**
- 1.1.2. Deletion of the ensuite and walk in robe of Dwelling 2 at ground floor; relocation of the kitchen area adjacent to Bedroom 1, and an increase to the depth of the dining area to a minimum 5.2 metres.**

All changes are to be absorbed within the approved building envelope.

- 1.1.3. Deletion of the blade wall at upper level between Dwellings 1 and 2;**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 1.1.4. An increase to the length of the garage associated with Dwelling 2 to accommodate the relocation of six cubic metres of storage and bin storage area for Dwelling 2.**

The changes to be absorbed within the internal accessway and the garage must comply with Design Standard 2 of Clause 52.06-9.

- 1.1.5. Noise attenuation measures for the west facing windows associated with the dining and kitchen areas for Dwelling 2.**

- 1.2. Annotations and sill heights of all proposed window and door screening treatments (if applicable) and an overlooking diagram for the north facing window of bedroom 4 of Dwelling 1. All must be in accordance with Standard B22 of Clause 55.04-6 (Overlooking);**
- 1.3. A full schedule of external materials and finishes, including colours;**
- 1.4. Any requirements of the South East Water with respect to Condition 3 of this permit;**

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. details of the proposed layout, type and height of fencing;**
- 2.4. all screening structures and refuse collection locations;**
- 2.5. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 2.6. 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;**
- 2.7. any paving or deck areas within the secluded open space area of the proposed dwellings on a permeable base;**
- 2.8. Relocation of:**
 - 2.8.1 The bicycle space associated for Dwellings 2 and 3 away from the front setback;**
 - 2.8.2 Relocation of the rain water tank of Dwelling 3 to the service yard located west of the dwelling;**
 - 2.8.3 The visitor bicycle space, communal water meters and mailboxes relocated to a central common property area within the front setback.**
- 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. One (1) advanced native canopy tree and boundary landscaping within the service yard of dwelling 3;**
- 2.11. Substantial landscaping within the front setback, including at least four (2) advanced native canopy trees with a planting height of 1.5 metres, shrubbery plantings and groundcovers.**

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.

- 3. Prior to the endorsement of the plans under Conditions 1 and 2, written consent from South East Water must be obtained to build the development on and in close proximity to assets located in Easement E-1. If consent is unable to be obtained, the relocation of assets will need to be relocated at the developer's cost and their revised location shown on the plans for endorsement with the consent of the service authorities (if applicable).**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 4. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**
- 5. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works and the conditions of this permit have been complied with.**
- 6. Prior to the endorsement of plans under Condition 1, the applicant is to submit a revised Sustainable Design Assessment (SDA), in the form of an assessment using the Built environment Sustainability Scorecard (BESS) to the satisfaction of the Responsible Authority. The revised SDA must be in accordance with the commitment in the SDA (prepared by Star Rating, ref 21415, dated 16 Nov 2021) but modified to include:**
 - 6.1. Submission of a completed preliminary energy rating (NatHERS) assessment for each of the dwellings that demonstrates and energy efficiency score above 6 stars, with a target of 6.5 stars. The preliminary energy rating assumptions, performance scores and preliminary certificates must be included in the appendix of the SDA.**
 - 6.2. Submission of a completed stormwater management assessment (using STORM or InSite Water) that demonstrates the site will satisfy Best Practice Environmental Management Guidelines for stormwater quality. The site must take into account all impervious surfaces that are to be treated/not treated.**
 - 6.3. Submission of a completed preliminary energy rating (NatHERS) assessment for each of the dwellings that demonstrates and energy efficiency score above 6 stars, with a target of 6.5 stars. The preliminary energy rating assumptions, performance scores and preliminary certificates must be included in the appendix of the SDA.**
 - 6.4. Revised BESS assessment that includes:**
 - 6.4.1. Selection of management credit 2.2**
 - 6.4.2. Revised water section in accordance with the revised stormwater management assessment**
 - 6.4.3. Revised energy section in accordance with the completed preliminary energy rating assessment**
 - 6.4.4. Revised IEQ section that deletes credit 2.2**
 - 6.4.5. Revised Waste Section that includes provision for organic waste disposal in accordance with the 3 waste receptacles**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 6.4.6. Revised Urban Ecology section with % area of vegetated site area.**
- 6.5. Amended Town Planning Drawings to show initiatives contained within the revised Sustainable Design Assessment:**
 - 6.5.1. Specification of the uses of the collected rainwater including the number of toilets;**
 - 6.5.2. Specification of all habitable room windows as double glazed;**
 - 6.5.3. Location of any additional water sensitive urban design measures (such as permeable concrete or raingardens) necessary to satisfy water quality requirements for the site;**
 - 6.5.4. Incorporation of an operable door to the ground floor of units Dwelling 1 and Dwelling 2 that separates the stairwell from the kitchen/dining areas;**
 - 6.5.5. Any other measures associated with the revised Sustainable Design Assessment.**

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

- 7. Prior to the endorsement of plans under Condition 1, the applicant is to submit a Waste Management Plan (WMP) to the satisfaction of the responsible authority. The WMP must include details of the collection and disposal of waste and recyclables associated with the land to the satisfaction of the Responsible Authority. The WMP must provide for the following:**
 - 7.1. The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority;**
 - 7.2. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours;**
 - 7.3. Designation of methods of collection including the need to provide for private services or utilisation of council services;**
 - 7.4. Appropriate areas of bin storage on site and areas of waste bin storage on collection days;**
 - 7.5. Details for best practice waste management once operating.**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

When approved, the WMP will be endorsed and will form part of this permit.

The provisions, requirements and recommendations of the endorsed WMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 9. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**
- 10. 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.**
- 11. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**
- 12. 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.**
- 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, 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. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

18. 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.
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.
- 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.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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.

MINUTE 644

Moved by: Cr Bob Milkovic
Seconded by: Cr Sophie Tan

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 15 and 17 Barnett Grove, Noble Park (Lots 20 and 21 LP 40368), for the 'development of the land for five (5) dwellings comprising four (4) double storey dwellings and one (1) single storey dwelling', in accordance with the plans submitted with the application subject to the following conditions:

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- 1. Dwellings 1 and 2 amended as follows:**

- 1.1.1. Deletion of the ensuite and linen cupboard of Dwelling 1 at ground floor; relocation of the laundry and powder room; and an increase to the depth of the living area to a minimum 5.0 metres.**

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All changes are to be absorbed within the approved building envelope.

- 1.1.3. Deletion of the blade wall at upper level between Dwellings 1 and 2;**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 1.1.4. An increase to the length of the garage associated with Dwelling 2 to accommodate the relocation of six cubic metres of storage and bin storage area for Dwelling 2.**

The changes to be absorbed within the internal accessway and the garage must comply with Design Standard 2 of Clause 52.06-9.

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- 1.3. A full schedule of external materials and finishes, including colours;**
- 1.4. Any requirements of the South East Water with respect to Condition 3 of this permit;**

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

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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 - 2.8.1 The bicycle space associated for Dwellings 2 and 3 away from the front setback;**
 - 2.8.2 Relocation of the rain water tank of Dwelling 3 to the service yard located west of the dwelling;**
 - 2.8.3 The visitor bicycle space, communal water meters and mailboxes relocated to a central common property area within the front setback.**
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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.

- 3. Prior to the endorsement of the plans under Conditions 1 and 2, written consent from South East Water must be obtained to build the development on and in close proximity to assets located in Easement E-1. If consent is unable to be obtained, the relocation of assets will need to be relocated at the developer's cost and their revised location shown on the plans for endorsement with the consent of the service authorities (if applicable).**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 6.4.6. Revised Urban Ecology section with % area of vegetated site area.**
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 - 6.5.1. Specification of the uses of the collected rainwater including the number of toilets;**
 - 6.5.2. Specification of all habitable room windows as double glazed;**
 - 6.5.3. Location of any additional water sensitive urban design measures (such as permeable concrete or raingardens) necessary to satisfy water quality requirements for the site;**
 - 6.5.4. Incorporation of an operable door to the ground floor of units Dwelling 1 and Dwelling 2 that separates the stairwell from the kitchen/dining areas;**
 - 6.5.5. Any other measures associated with the revised Sustainable Design Assessment.**

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.

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

When approved, the WMP will be endorsed and will form part of this permit.

The provisions, requirements and recommendations of the endorsed WMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 9. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**
- 10. 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.**
- 11. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**
- 12. 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.**
- 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.**
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- 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.**
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All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

- 18. 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.**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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.**

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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.
- 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.

CARRIED

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 15 AND 17 BARNETT GROVE,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0396)**

ATTACHMENT 1

ASSESSED PLANS

PAGES 13 (including cover)

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)



PROJECT
 NEW TOWNHOUSE DEVELOPMENT
 15-17 Barnett Grove, Noble Park

CLIENT
 Vandy Taling

DESIGNS
 Bellio Design Group
 15-17 Barnett Grove, Noble Park
 Royal Melbourne Development
 15-17 Barnett Grove, Noble Park

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No.	Description	Date
1		10/10/2022

DRAWING
 Neighbourhood Character

Scale: 1:200
 Checked: HR
 Date: 26/04/2022
 Drawn: LX

Ref No: 2109



NEIGHBOURHOOD SITE DESCRIPTION

SUBJECT SITE HAS A SOUTH-WEST CORNER, FROM THE FRONT TO THE REAR, BEST ACCESS TO THE SUBJECT SITE HAS A NORTH-SOUTH ROAD TO THE FRONT OF THE PROPERTY AND FOLLOWS THROUGH TO SUBSEQUENT PROPERTIES.

THE REAR ALLEY HAS A NORTH-SOUTH ROAD TO THE FRONT OF THE PROPERTY AND FOLLOWS THROUGH TO SUBSEQUENT PROPERTIES.

THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:

- A. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- B. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- C. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- D. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- E. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- F. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- G. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- H. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- I. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- J. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- K. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- L. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
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- P. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
- Q. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:
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- S. THE EXISTING INFRASTRUCTURE WITHIN THE PROPERTY INCLUDES:

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)



PROJECT
 NEW TOWNHOUSE DEVELOPMENT
 15-17 Barnett Grove, Noble Park

CLIENT
 Vandy Taling

DESIGNS
 GINA TAYLOR
 GINA TAYLOR CONSULTANTS
 200/202 Sturt St, VIC 3168
 ROYAL MELBOURNE DEVELOPMENTS

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DESIGN RESPONSE PLAN

1. SEPARATE PAWS BARRIERS FROM THE STREET FRONTAGE
2. THE FRONT FENCE DESIGN WILL MAINTAIN VISUAL BALANCE WITH THE ADJACENT FENCE
3. PROPOSED FENCE DESIGN TO BE CONSTRUCTED TO THE CORRECT HEIGHT
4. EXTERNAL TERRACING IS ALLOWED TO ADD TO BUILDING VOLUME WITH COVERED TERRACE AND CONCRETE WALLS TO BREAK UP HOOD MASS
5. THE DESIGN HAS TAKEN INTO CONSIDERATION THE MINIMUM VIEWS ENCODING IMPACT. CHANGES IN MATERIALS AND FINISHES ASSET
6. PROPOSED PLANTING OPPORTUNITIES PROVIDED TO SOFTEN THE BUILDING FORM, UPPER AND LOWER FLOOR BUILDING FORMS ARE MANAGED WITH OPPOSITE TO UNIFORM VISUAL QUALITY
7. UPPER AND LOWER FLOOR BUILDING FORMS ARE MANAGED WITH OPPOSITE TO UNIFORM VISUAL QUALITY
8. THE INTRODUCTION OF LANDSCAPE LANDSCAPING TO PROVIDE A VISUAL BREAKUP IN THE SITE AND PROVIDE A VISUAL BREAKUP
9. TO PROVIDE VISUAL CONTACT BETWEEN NEIGHBOURHOODS
10. STREET FRONTAGE IS MAINTAINED FROM FRONT ROOMS OF DWELLING 2,3
11. ALL LANDSCAPE ARE DESIGN APPROVED
12. WINDOW STAYS TO COMPLY WITH WINDOW STAYS
13. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE LOCAL COUNCIL
14. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
15. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
16. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
17. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
18. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
19. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL
20. ALL EXTERNAL TERRACING TO BE APPROVED BY THE LOCAL COUNCIL

No.	Description	Date
1	DR	15/10/2022

DRAWING
 Design Response

Scale: 1:200
 Checked: RH
 Date: 26/04/2022
 Drawn: LX

TP 02

Plan No. 2108

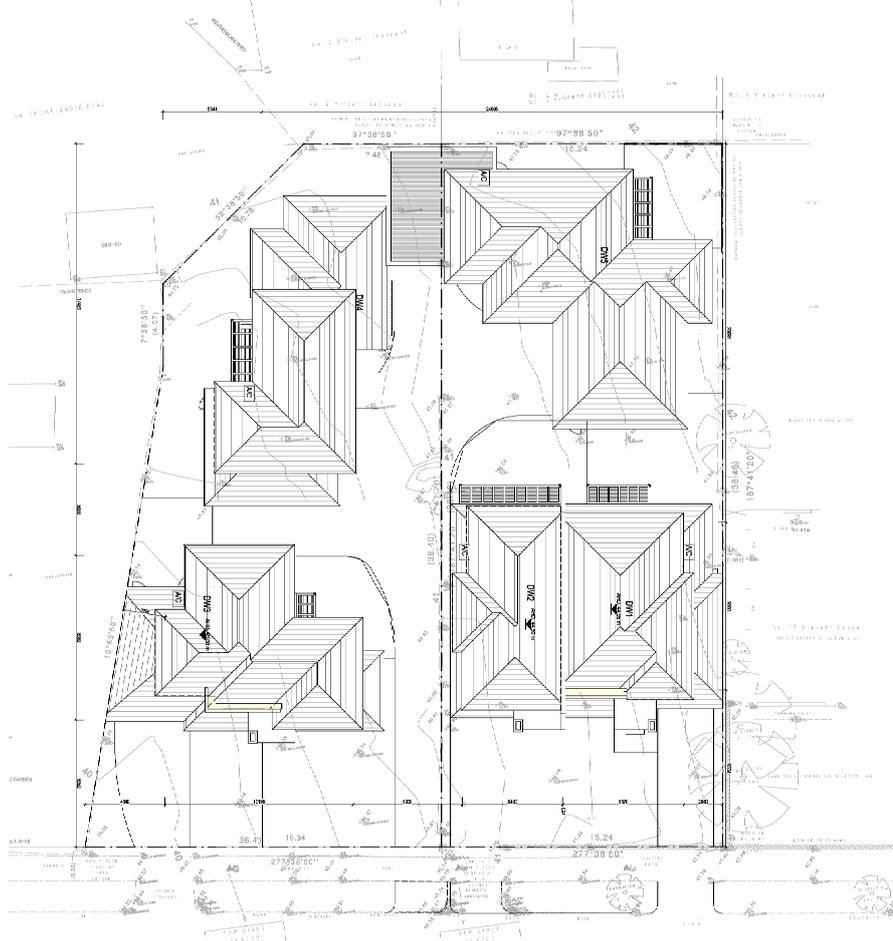
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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)



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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>PROJECT NEW TOWNHOUSE DEVELOPMENT 15-17 Barnett Grove, Noble Park</p>		<p>CLIENT Vandy Taling</p>	<p>DESIGNS Bello Design Group 26/04/2022 15-17 Barnett Grove, Noble Park Roof Plan</p>	<p>© Copyright All Right Reserved. These drawings remain the property of Bello Design Group and are not to be reproduced or transmitted in any form or by any means without written permission of Bello Design Group. All other rights reserved.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 85%;">Description</th> <th style="width: 10%;">Date</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>Proposed Roof Plan</td> <td style="text-align: center;">12/10/2022</td> </tr> </tbody> </table>	No.	Description	Date	1	Proposed Roof Plan	12/10/2022	<p>DRAWING Proposed Roof Plan</p>	<p>Scale Checked Date Drawn</p>	<p>1 : 100 Checker 26/04/2022 Author</p>	<p style="text-align: center; font-size: 24pt; font-weight: bold;">TP 4a</p> <p style="text-align: center; font-size: 10pt;">Plan No. 2108</p>	
No.	Description	Date															
1	Proposed Roof Plan	12/10/2022															

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

SCHEDULE OF MATERIALS AND FINISH

GROUND FLOOR WALLS	FACE BRICKWORK AND CONCRETE
UPPER FLOOR WALLS	LIGHT WEIGHT INSULATED FINISH
ROOF	CONCRETE TILES AND COLORBOND
WINDOWS	TEMPERED ALUMINIUM
GLAZES	GLASS GLAZING OPERABLE GLAZING
GLAZED DOORS	COLORBOND FINISH

DESIGNER'S DECLARATION

I, the Designer, as the author of the design, certify that the design is my original work and that I am not aware of any infringement of any copyright or other intellectual property rights in the design. I warrant that the design is not a copy of any design that has been previously used or disclosed in any form.

No.	Description	Date
1	FR	15/10/2022

DRAWING

Elevations 1

Scale	1 : 100
Checked	FR
Date	26/04/2022
Drawn	LX

TP 05

Plan No. 2108

PROJECT
 NEW TOWNHOUSE DEVELOPMENT
 15-17 Barnett Grove, Noble Park

CLIENT
 Vandy Taling

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Bello
 DESIGN GROUP

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

DESIGNER	Bello DESIGN GROUP	PROJECT	NEW TOWNHOUSE DEVELOPMENT 15-17 Barnett Grove, Noble Park	CLIENT	Vandy Taling	DESIGNS	DW2, DW3, DW4, DW5 26/04/2022
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No.	Description	Date	DRAWING				
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Scale		Checked		TP 06			
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Date		Drawn					
26/04/2022		LX					

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)



2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>PROJECT NEW TOWNHOUSE DEVELOPMENT 15-17 Barnett Grove, Noble Park</p>	<p>CLIENT Vandy Taing</p>	<p>DESIGNS G&P Design Group 200/202 Sturt St, VIC 3168 Royal Melbourne Hospital (03) 9346 1111</p>	<p>© Copyright All Right Reserved. These drawings remain the property of Bello Design Group and are not to be reproduced or used in any form without the written consent of Bello Design Group. All rights reserved. No part of these drawings may be reproduced in any form without the written consent of Bello Design Group.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 65%;">Description</th> <th style="width: 30%;">Date</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>TP11</td> <td style="text-align: center;">15/10/2022</td> </tr> </tbody> </table>	No.	Description	Date	1	TP11	15/10/2022	<p>DRAWING CUT AND FILL PLAN</p>	<p>Scale Checked Date Drawn</p>	<p>1 : 100 Checker 26/04/2022 Author</p>	<p style="text-align: center; font-size: 24pt; font-weight: bold;">TP 11</p> <p style="text-align: center; font-size: 10pt;">Plan No. 2108</p>	
No.	Description	Date														
1	TP11	15/10/2022														

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 15 AND 17 BARNETT GROVE,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0396)**

ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)



-  Subject Site
-  Location of Objectors

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 15 AND 17 BARNETT GROVE,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0396)**

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 10 (including cover)

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

**Assessment Table for Clause 22.09
 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 All five (5) dwellings would incorporate active frontages including ground floor habitable room windows.</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 The proposed development maximises the number of habitable room windows on all levels which would overlook the public realm, street, internal accessways and car parking areas.</p>
	Use semi-transparent fences to the street frontage.	<p>✓ Principle met No front fence proposed</p>
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	<p>✓ Principle met</p>
	Ensure that all main entrances are visible and easily identifiable from the street.	<p>✓ Principle met Each dwelling's main entrance would be visible and easily identifiable from the street.</p>
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ Principle met Non-habitable rooms such as bathrooms are located away from entrances and street frontage.</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 not met, however permit conditions will resolve non-compliance. The indicative landscaping shown on the site plan demonstrates suitable landscaping and canopy tree planting throughout the site.</p>
		<p>Landscape plan will be provided as a condition of permit.</p>

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	Provide substantial, high quality landscaping along vehicular accessways.	<p>✘ Principle not met, however permit conditions will resolve non-compliance. The proposed development would be capable of providing substantial, high quality landscaping along the vehicular accessways.</p> <p>✘ Principle not met, however permit conditions will resolve non-compliance. As above</p> <p>✘ Principle not met, however permit conditions will resolve non-compliance. As above</p> <p>✔ Principle met The proposed development would avoid the removal of existing mature trees wherever possible.</p> <p>✔ Principle met The proposed development would be capable of using landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p> <p>✔ Principle met</p> <p>✔ Principle met</p> <p>✔ Principle met</p> <p>✔ Principle met</p> <p>✔ Principle met The site has a frontage exceeds 17 metres.</p> <p>✔ Principle met</p>
	Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.	
	Planting trees that are common to and perform well in the area.	
	Avoid the removal of existing mature trees by incorporating their retention into the site design.	
	Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.	
	Ensure that landscaping also addresses the Safety Design Principles.	
	Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	
	Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.	
	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	
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. 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. 	<p>✔ Principle met On-site car parking would be well integrated into the design of the dwellings, located to the side so as to not dominate the streetscape and maximise soft landscaping opportunities at ground level.</p>

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>Where car parking is located within the front setback it should be:</p> <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. <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>✓ Principle met Car parking is fully located within the site boundary.</p>
	<p>Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p> <p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p> <p>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</p>	<p>N/A Basement car parking is not proposed.</p> <p>✓ Principle met The proposed development would provide a front setback which would be in keeping with the predominant street pattern.</p> <p>✓ Principle met The apparent frontage width pattern would be maintained.</p> <p>✓ Principle met Appropriate side setbacks provided where possible.</p> <p>✓ Principle met No front fence proposed</p>
<p>Private open space</p>	<p>All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.</p> <p>Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>Private open space should be positioned to maximise solar access.</p>	<p>✓ Principle met Each dwelling would provide good quality, useable private open space for each dwelling which would be directly accessible from the main living areas.</p> <p>✓ Principle met Ground level private open space areas would be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>✓ Principle met Private open space would be positioned to maximise solar access, where practicable.</p>

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.	<p>✓ Principle met The upper floors of each dwelling would avoid encroaching over their respective secluded private open space areas.</p> <p>✓ Principle met There are no upper level dwellings proposed above a separate lower level dwelling</p>
	Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.	<p>✓ Principle met There are no upper level dwellings proposed above a separate lower level dwelling</p>
Bulk & Built Form	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors, and verandahs, and Maintaining the proportion of wall space to windows and door openings. <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p> <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> 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. <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <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. 	<p>✓ Principle met The proposed dwellings would respect the dominant façade pattern of the streetscape by using similarly proportioned roof forms, windows, doors and front porch and maintaining a similar proportion of wall space to windows and door openings.</p> <p>N/A No balconies are proposed.</p> <p>✓ Principle met The application does not propose to retain the existing dwelling.</p> <p>N/A The site is not adjacent to any identified heritage buildings.</p>
Site Design	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p>	<p>✓ Principle met with conditions The proposed development generally meets the overshadowing and overlooking objectives (subject to permit conditions) in Clause 55.</p> <p>✓ Principle met North-facing windows and secluded private open space areas where practicable.</p>

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2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p> <p>Residential development should:</p> <p>Use quality, durable building materials and finishes that are designed for residential purposes.</p> <p>Avoid the use of commercial or industrial style building materials and finishes.</p> <p>Avoid using materials such as rendered cement sheeting, unarticulated surfaces, and excessive repetitive use of materials.</p> <p>Use a consistent simple palette of materials, colours, finishes and architectural detailing.</p> <p>Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p>	<p>✓ Principle met The proposed building height and massing articulation are generally responsive to site circumstances, setbacks and the streetscape by way of appropriate setbacks, capacity for substantial landscaping and the upper level built form positioned towards the front of the site.</p> <p>✓ Principle met The proposed development provides sufficient setbacks to accommodate the future growth of new trees.</p> <p>✓ Principle met The site has capacity to accommodate bin storage areas.</p> <p>✓ Principle met</p> <p>✓ Principle met with conditions The elevations show the use of brickwork, render and timber cladding. Permit conditions will require an updated schedule of external materials and finishes to reflect the elevation plans.</p> <p>✓ Principle met The proposed development would not include any commercial or industrial style building materials or finishes.</p> <p>✓ Principle met The development proposes a variation of materials and articulated surfaces.</p> <p>✓ Principle met As above.</p> <p>✓ Principle met</p>
<p>Materials & Finishes</p>		

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

<p>Domestic services normal to a dwelling and Building services</p>	<p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p> <p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> • 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>Domestic and building services could be visually integrated into the design of the development and appropriately positioned or screened so as not to be seen from the street or adjoining properties.</p> <p>✓ Principle met</p> <p>✓ Principle met</p> <p>Each dwelling provides a small service yard outside of the prime secluded private open space areas to accommodate domestic and building services.</p>
<p>Internal Amenity</p>	<p>Residential development should:</p> <p>Ensure that dwelling layouts have connectivity between the main living area and private open space.</p> <p>✗ Principle not met</p> <p>The internal amenity provided to dwellings 1 and 2, are disproportionate to the number of future occupants for a four bedroom dwelling.</p> <p>The kitchen, living and dining areas of each dwelling are described as follows</p> <ul style="list-style-type: none"> • Dwelling 1 – 28sqm (7.5m x 4.1m), access to the laundry cupboard is via the living room. • Dwelling 2 – 25sqm (5.2 x 4.7m) <p>These areas are less than the size of a double car garage which measures 33sqm in area.</p> <p>It is considered that a condition is required increase these areas to improve useability and amenity for the sake of future residents. This can be accomplished by way of deleting the ensuite and walk in robes at ground floor and increasing the minimum depths of the living and dining areas.</p>	<p>✗ Principle not met</p> <p>The internal amenity provided to dwellings 1 and 2, are disproportionate to the number of future occupants for a four bedroom dwelling.</p> <p>The kitchen, living and dining areas of each dwelling are described as follows</p> <ul style="list-style-type: none"> • Dwelling 1 – 28sqm (7.5m x 4.1m), access to the laundry cupboard is via the living room. • Dwelling 2 – 25sqm (5.2 x 4.7m) <p>These areas are less than the size of a double car garage which measures 33sqm in area.</p> <p>It is considered that a condition is required increase these areas to improve useability and amenity for the sake of future residents. This can be accomplished by way of deleting the ensuite and walk in robes at ground floor and increasing the minimum depths of the living and dining areas.</p>
	<p>Be designed to avoid reliance on borrowed light to habitable rooms.</p> <p>✓ Principle met</p> <p>No borrowed light relied upon</p>	<p>✓ Principle met</p> <p>No borrowed light relied upon</p>
	<p>Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.</p> <p>✓ Principle met</p> <p>No balconies are proposed. Habitable room windows would be designed and located to reduce the need for excessive screening</p>	<p>✓ Principle met</p> <p>No balconies are proposed. Habitable room windows would be designed and located to reduce the need for excessive screening</p>

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	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 Dwellings provide private open space at ground level.
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If the details of the attachment are unclear please contact Governance on 8571 1000.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

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

Standard Met/Standard Not Met/NA	
Title & Objective	Standard Met/Standard Not Met/NA
Preferred housing type	<p>✓ Principle met The proposal is considered medium density.</p>
Building Height	<p>✓ Principle met Double storey proposed.</p>
Landscaping	<p>✓ Principle met It is considered that there is adequate opportunity for landscaping throughout the site, particularly in the front setbacks and rear secluded private open space areas for each dwelling.</p>
Setbacks, front boundary and width	<p>✓ Principle met Car access, parking and paving within the front setback is limited. Areas set aside for soft landscaping.</p>
Private open space	<p>✓ Principle met Secluded private open space is located at the rear and side of each dwelling.</p>
Bulk & Built Form	<p>✓ Principle met The dwellings are considered in keeping with the scale of existing built form character. Surrounding dwellings in the immediate vicinity of the site are single storey as a mix of single and double storey dwellings as well as single storey unit developments. Within the immediate vicinity of the site are single storey detached dwellings. The development is considered to respond to the site circumstances and streetscape by the way of a single storey form to the north and east of the site, street setback, and centralised upper storeys with some recession from the ground floor footprint.</p>

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>Provide separation between dwellings at the upper level;</p> <p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</p> <p>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.</p> <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>	<p>✓ Principle met 4.8m is provided between the upper levels of dwellings 3 and 4. 5.8m is provided between the upper levels of dwellings 2 and 3. The attached upper levels of dwellings 1 and 2 is considered appropriate as the built form is centralised and positioned towards the front of the site. The dwellings provide an adequate level of modulation and variation in materials to articulate the built form.</p> <p>✓ Principle met With the exception the garage and laundry sited on the boundary, the proposal provides a minimum 2.0m rear setback for the provision of landscaping to retain the spine of open space at the rear of the adjoining properties.</p> <p>✓ Principle met Double storey components are positioned towards the front and centre of the site.</p> <p>✓ Principle met Dwellings 4 and 5 and located at the rear of the site. Dwelling 5 is a single storey dwelling. Dwelling 4 is a double storey dwelling providing a minimum 6.1m setback from the rear boundary and minimum 4.3m from the side boundary at upper level. The proposed double storey form for dwelling 4 is acceptable for the following reasons:</p> <ul style="list-style-type: none"> • Adequate setbacks are provided to adjoining sensitive interfaces as described above; • The double storey component is well recessed from the ground floor footprint; and • The proposal has incorporated areas of private open space to the side and rear of the dwelling to connect the existing landscape corridor, and provide substantial planting to soften the built form. <p>✓ Principle met The development proposes a level of visual interest through the use of materials and fenestration.</p>
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If the details of the attachment are unclear please contact Governance on 8571 1000.

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 15 AND 17 BARNETT GROVE,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0396)**

ATTACHMENT 4

CLAUSE 55 ASSESSMENT

PAGES 29 (including cover)

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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 proposal is considered to respect the existing and preferred neighbourhood character of the area by way of street setback, landscaping and bulk and built form subject to conditions. See Clause 22.09 Assessment for further details.
Decision Guidelines		The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site. Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response.	Standard met As above.
Objectives		To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.	

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 A written statement describing the proposals response to the neighbourhood character and site context was provided.
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.	

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

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	To support medium densities in areas where development can take advantage of public and community infrastructure and services.	
Clause 55.02-3 Dwelling diversity objective		
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
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 The proposed development is for five (5) dwellings.
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	
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 would be connected to reticulated services in this established residential area.
	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	✓ Standard met The proposed development of the site for five (5) dwellings would not unreasonably exceed the capacity of utility services and infrastructure.
	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 There is no evidence to suggest that the subject site is located in an area where utility services or infrastructure have little or no spare capacity.
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.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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.	<p>✓ Standard met The dwellings have shared vehicular and pedestrian access via a common accessway.</p>
	Developments should be oriented to front existing and proposed streets.	<p>✓ Standard met Dwellings are orientated front Kirkham Road to the south.</p>
	High fencing in front of dwellings should be avoided if practicable.	<p>✓ Standard met No front fence proposed</p>
	Development next to existing public open space should be laid out to complement the open space.	<p>✓ Standard met The subject site does not adjoin any public open space.</p>
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.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Title & Objective	Standard	Standard Met/Standard Not Met/NA															
<p>Clause 55.03-1 Street setback objective</p> <p>Standard B6</p>	<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>GRZ 1 & 2: 7.5 metres or as per Table B1, whichever is the lesser.</p> <p>Table B1 Street setback</p> <table border="1" data-bbox="512 958 1094 1574"> <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 the 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 the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.	<p>* Standard not met</p> <p>Adjoining dwelling to the west faces Callandar Road Adjoining site at 13 Barnett Grove to the east fronts Barnett Grove (front street) – setback is 7.6m Therefore, the requirement is 7.5m Proposed: 6.4m to blade wall between dwelling 1 and 2 7.5m at dwelling 1 and 2 6.8m (minimum) at dwelling 3</p>
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)															
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Decision	Any relevant neighbourhood character objective, policy or statement set out in this																

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

<p>Guidelines</p>	<p>scheme.</p> <p>The design response.</p> <p>Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>The value of retaining vegetation within the front setback.</p>	<p>The proposed 6.8m setback at dwelling 3 is considered acceptable to the existing site circumstances. The 6.8m setback from the street only applies to dwelling 3, with dwellings 1 and 2 setback 7.5m which meet the standard. The blade wall between dwellings 1 and 2 at upper level is inconsistent with the prevailing built form character of the streetscape and will be reduced to the ground floor via permit condition.</p> <p>Dwelling 3 is located adjacent to the corner site at 17 Callandar Road, which provides a side setback to Barnett Grove of approximately 5.9m.</p> <p>In addition, the prevailing setbacks of the existing dwellings directly adjacent to the subject site is 6m (7.6m + 5.7m + 4.7m + 5.33m + 6.7m/5) [see map below]. The proposed street setback for dwelling 3 would respect the predominant built form, façade and street pattern.</p> 
<p>Objective</p>	<p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>The reduced front setback will not unreasonably impact the provision of landscaping within the front setback as sought by the neighbourhood character objectives in Clause 22.09. The development has the capacity to provide high quality landscaping and canopy tree planting within the front setback.</p> <p>✔ Objective met</p> <p>For the reasons above, the proposal is considered to meet the objective in Clause 55.03-1 Street setback.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-2 Building height objective		Standard Met/Standard Not Met/NA
Title & Objective	Standard (Summarised)	
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. GRZ: 11 metres / 3 storeys <u>mandatory maximum</u> (refer Clause 32.08-9)</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 of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p>✓ Standard met Maximum 2 storeys, 7.8 metres.</p> <p>N/A</p> <p>✓ Standard met The adjoining properties to the east and west are single storey dwellings, the proposed maximum building height is two storeys for the development.</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>	
Objective		

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-3 Site coverage objective	
Title & Objective	Standard Met/Standard Not Met/NA
<p>Standard B8</p> <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>GRZ1: 60% (none specified)</p>	<p>✓ Standard met</p> <p>Planning unit 585sqm+606sqm = 1,191sqm Requirement max. 714.6sqm (60%) Provided 554.8sqm (46%)</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> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>
Objective	<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-4 Permeability and stormwater management objectives	
Title & Objective Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B9</p> <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>GRZ1 - 30%</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>Planning unit 585sqm+606sqm = 1,191sqm Requirement min. 357.3sqm (30%) Provided 419.2sqm (35.2%)</p> 
<p>Decision Guidelines</p> <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> <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>Objectives</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-5 Energy efficiency objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B10</p> <p>Buildings should be:</p> <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. 	<p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>Standard met</p> <p>Where practicable, the proposed dwellings are oriented to take advantage of solar energy from the east, north and west. They have been sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p>
<p>Decision Guidelines</p> <p>The design response.</p> <p>The size, orientation and slope of the lot.</p> <p>The existing amount of solar access to abutting properties.</p> <p>The availability of solar access to north-facing windows on the site.</p> <p>The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.</p> <p>Whether the existing rooftop solar energy system on an adjoining lot is appropriately located</p> <p>The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.</p>	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>Standard met</p> <p>All dwellings have north-facing windows.</p>
<p>Objectives</p> <p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>		

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-6 Open space objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
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. 	N/A No public or communal private open space proposed
Decision Guidelines	Any relevant plan or policy for open space in the PPF and the LPPF, including the MSS and local planning policies. The design response.	
Objective	To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	

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. Planting which creates unsafe spaces along streets and accessways should be avoided.	Standard met The entry to each dwelling would be visible from Barnett Grove Standard met The proposal does not propose any planting which would create unsafe spaces along Barnett Grove or the accessways.
	Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	Standard met The proposal provides passive surveillance to car parking spaces and the internal accessway.
	Private spaces within developments should be protected from inappropriate use as public thoroughfares.	Standard met No private spaces within the development are susceptible to use as a thoroughfare.
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-8 Landscaping objectives

Title & Objective	Standard Met/Standard Not Met/NA
<p>Standard B13</p> <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: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</p>	<p>Standard not met however permit conditions will resolve non-compliance.</p> <p>The indicative landscaping shown on the site plan demonstrates suitable landscaping and canopy tree planting throughout the site.</p> <p>A detailed landscape plan will be provided as a condition of permit.</p> <p>Standard met</p> <p>The site is devoid of any significant vegetation.</p> <p>Standard met</p> <p>As above.</p> <p>Standard not met however permit conditions will resolve non-compliance.</p> <p>A detailed landscape plan will be provided as a condition of permit.</p> <p>Standard met</p> <p>Front setback 240sqm Capacity for landscaping 191.8sqm (80%) of the front setback The ground level front and side setbacks are capable of being planted with substantial landscaping and canopy trees.</p>
<p>Decision Guidelines</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any relevant plan or policy for landscape design in the PPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p>	
<p>Objectives</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	
<p>Clause 55.03-9 Access objective</p>		
<p>Title & Objective</p>	<p>Standard (Summarised)</p>	<p>Standard Met/Standard Not Met/NA</p>
<p>Standard B14</p>	<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 Less than 40% of the Barnett Grove street frontages would be taken up by the accessways.</p> <p>✓ Standard met Three (3) single width accessway is proposed.</p> <p>✓ Standard met The re-location of the existing crossovers would maximise the retention of on-street car parking spaces.</p> <p>N/A</p> <p>✓ Standard met The proposed development would provide appropriate access for service, emergency and delivery vehicles.</p>
<p>Decision Guidelines</p>	<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>	
<p>Objectives</p>	<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.03-10 Parking location objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/N/A
<p>Standard B15</p> <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>✓ Standard met</p> <p>Dwelling 1 – single garage and tandem car space Dwelling 2 – double garage Dwelling 3 – single garage and tandem car space Dwelling 4 – double garage Dwelling 5 – double garage</p> <p>Car parking facilities are reasonably close and convenient to dwellings, are secure and well ventilated.</p>
	<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 not met however permit conditions will resolve non-compliance.</p> <p>The sill heights of Dwelling 2's west facing windows associated with the dining and kitchen at ground floor are 1.3m above natural ground level and is 0.5m from the accessway. Permit conditions will require the window to be noise attenuated.</p> <p>All other habitable room windows have sill heights of more than 1.4m above natural ground level. This includes Dwelling 5 bed 2 south facing window and Dwelling 4 living room west facing window.</p>
<p>Decision Guidelines</p>	<p>The design response.</p>	
<p>Objectives</p>	<p>To provide convenient parking for residents and visitors vehicles. To protect residents from vehicular noise within developments.</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.04-1 Side and rear setbacks objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/N/A
<p>Standard B17</p> <p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> 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>The diagram illustrates a lot boundary (dashed line) and a building footprint (solid line). The lot boundary setbacks from the left and right are 8.6m and 13.5m respectively. The building footprint setbacks from the left and right are 4.1m and 9m respectively. The building footprint setbacks from the front and rear are 3.1m and 8m respectively. The building footprint setbacks from the side boundaries are 2m and 1m respectively. The building footprint setbacks from the front and rear boundaries are 3.6m (max) and 3.2m (av) respectively.</p>	<p>Standard Met</p> <p>✓ Standard met</p> <p>Dwelling 1 ground floor – Garage wall on boundary (east)</p> <p>Dwelling 1 first floor- Eastern wall height at ground floor is 5.6m Required setback is 1.6m Provided is 2m</p> <p>Dwelling 3 ground floor – Garage wall on boundary (west)</p> <p>Dwelling 3 first floor- Western wall height at ground floor is 6.1m Required setback is 1.75m Provided is 2.3m</p> <p>Dwelling 4 ground floor minimum - North western wall height at ground floor is 2.9m Required setback is 1.0m Provided is 1.9m</p> <p>Dwelling 4 first floor minimum – North western wall height at ground floor is 5.9m Required setback is 1.69m Provided is 4.3m</p> <p>Dwelling 5 – garage wall on boundary (north)</p> <p>Eastern wall height at ground floor is 2.2m Required setback is 1.0m</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

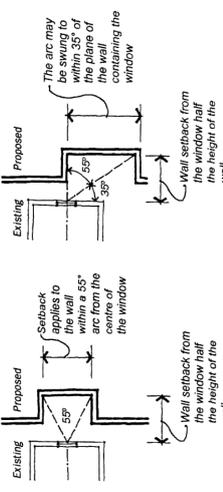
	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>Provided is 1.0m</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. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.04-2 Walls on boundaries objective

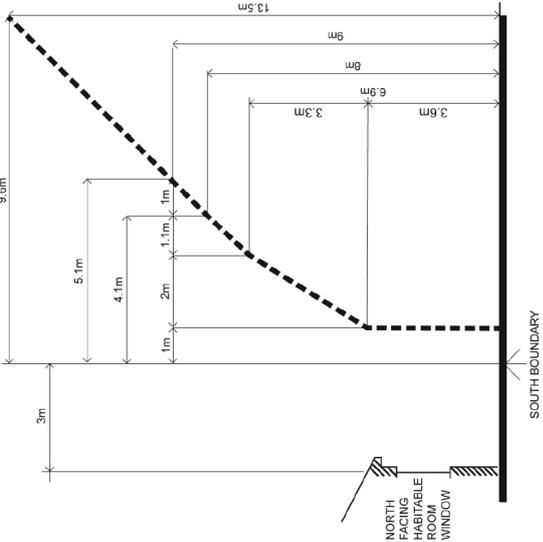
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • 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>Standard met</p> <p>West boundary – 38.4m Requirement – 17.1m Provided – 6.6m</p> <p>East boundary - 31m Requirement – 15.28m Provided – 6.6m</p> <p>North boundary – 23m Requirement – 15.75m Provided – 6m</p>	<p>Standard met</p> <p>Standard met</p> <p>Standard met</p> <p>Standard met</p> <p>All garage walls notated as having a maximum average heights of 3.2 metres, and no part higher than 3.6m</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 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>		

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<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>Objectives</p>	<p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	
<p>Clause 55.04-3 Daylight to existing windows objective</p>		
<p>Title & Objective</p>	<p>Standard (Summarised)</p>	<p>Standard Met/Standard Not Met/NA</p>
<p>Standard B19</p>	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carpports 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>Standard met</p> <p>Dwellings are well setback from adjoining properties and habitable room windows of adjoining dwellings.</p> <p>Standard met</p> <p>Unit 1 – ground floor wall height is 2.7m in height First floor wall height is 5.7m</p> <p>Provided a minimum 3.3m setback from the east adjoining property.</p>
<p>Decision Guidelines</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>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>Objective</p>	<p>To allow adequate daylight into existing habitable room windows.</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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>NORTH FACING HABITABLE ROOM WINDOW</p> <p>SOUTH BOUNDARY</p> <p>Applies where existing HRW is between 20° north 20 degrees west to north 30 degrees east.</p>	<p>Standard met</p> <p>There are no north facing habitable room windows of existing dwellings on neighbouring allotments within 3 metres of the boundary.</p>
Decision Guidelines	<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>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>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Objective	To allow adequate solar access to existing north-facing habitable room windows.	
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.	<p>✓ Standard met The reduction in sunlight to adjoining properties' secluded private open space created by the development is within the requirements of the Standard. Compliance is demonstrated by the shadow diagrams submitted with the application.</p> <p>✓ Standard met</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	
Objective	To ensure buildings do not significantly overshadow existing secluded private open space.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.04-6 Overlooking objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B22</p>	<p>A habitable room window, balcony, terrace, deck, or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p>	<p>Standard met with conditions</p> <p>The first floor windows which have potential for views into adjoining SPOS areas are obscured or have a sill height to 1.7m above FFL.</p> <p>In the absence of an internal north elevation, permit conditions will require an overlooking diagram to demonstrate the north facing window associated with bedroom 4 of dwelling 1 would not have direct views into the adjoining secluded private open space to the east. If the standard is not met, permit conditions will require the window to provide obscured glazing or screening in accordance with the standard.</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> <p>The first floor windows which have potential for views into adjoining SPOS areas are obscured or have a sill height to 1.7m above FFL.</p>	<p>Standard met</p> <p>The first floor windows which have potential for views into adjoining SPOS areas are obscured or have a sill height to 1.7m above FFL.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	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 with conditions
	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 with conditions
	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

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.	✓ Standard met There are no windows and balconies which have internal views of the secluded private open space of a lower-level dwelling directly below and within the same development.
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. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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 existing dwellings.	Standard met No mechanical plant is proposed to be located near the bedrooms of any immediately adjacent existing dwellings.
		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Standard met No noise sources apparent. Standard met The dwellings are not close to busy roads or 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

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 The proposed dwellings include a small step, easily accessible to people with limited mobility or made easily accessible if necessary.
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

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
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 The entry to each dwelling is easily identifiable from the street and provides shelter and a sense of personal address.
Objective	To provide each dwelling or residential building with its own sense of identity.		

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.05-3 Daylight to new windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B27</p>	<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>The design response.</p> <p>Whether there are other windows in the habitable room which have access to daylight.</p> <p>To allow adequate daylight into new habitable room windows.</p>	<p>Standard met</p> <p>Each window complies with this standard.</p>
<p>Decision Guidelines</p>		
<p>Objective</p>		

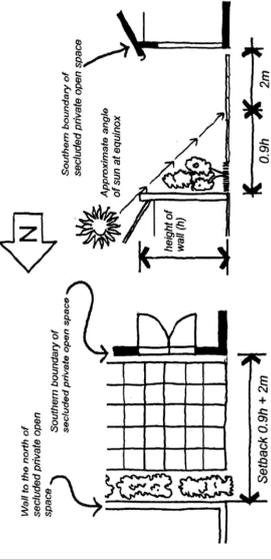
Clause 55.05-4 Private open space objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B28</p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <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></p> <p><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 not met</p> <p>Dwelling 1: Total POS: 80sqm. SPOS: 35sqm with min dimension of 5.0m and convenient access to living area.</p> <p>Dwelling 2: Total POS: 77sqm. SPOS: 25sqm with min dimension of 5.0m and convenient access to living area.</p> <p>Dwelling 3: Total POS: 122sqm. SPOS: 25sqm sqm with min dimension of 5.0m and convenient access to living area.</p> <p>Dwelling 4: Total POS: 86sqm. SPOS: 30sqm with min dimension of 5.0m and convenient access to living area.</p> <p>Dwelling 5: Total POS: 56sqm. SPOS: 30sqm with min dimension of 5.3m and convenient access to living area.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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>	<p>N/A</p>
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>	<p>The shape of the secluded private open space areas at the rear of dwellings 2 and 3 are compromised by the design of the internal accessway. Despite the minor shortfall in achieving the 30sqm of secluded private open space with a minimum dimension of 5.0m, dwellings 2 and 3 substantially exceed the provision of private open space stated in the varied requirement in Schedule 1 to the General Residential Zone.</p> <p>This includes the three areas of open space for dwelling 3 (front setback, side and rear), and the two areas of open space for dwelling 2 (front setback and rear).</p> <p>Therefore, there would be adequate areas set aside for the recreational and leisure uses, as well as service areas for the dwelling without causing any loss of amenity for future residents of the dwelling.</p>
<p>Objective</p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>✓ Objective met</p> <p>For the reason above, the proposal is considered to meet the objective of Clause 55.05-4.</p>
<p>Clause 55.05-5 Solar access to open space objective</p>		
<p>Title & Objective Standard B29</p>	<p>Standard (Summarised)</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met</p> <p>Where possible, private open space is located on the north side of the dwellings.</p>

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p> 	<p>✓ Standard met Garage 2 wall height north of dwelling 1 open space – 2.7m Setback required – 4.43m Provided – 5m</p>
<p>Decision Guidelines</p>	<p>The design response. The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
<p>Objective</p>	<p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	
<p>Clause 55.05-6 Storage objective</p>		
<p>Title & Objective Standard B30</p>	<p>Standard Met/Standard Not Met/NA ✓ Standard met Six cubic square metres of storage provided for each dwelling.</p>	
<p>Objective</p>	<p>To provide adequate storage facilities for each dwelling.</p>	
<p>Clause 55.06-1 Design detail objective</p>		
<p>Title & Objective Standard B31</p>	<p>Standard Met/Standard Not Met/NA ✓ Standard met The dwellings incorporate an appropriate amount of articulation and detailing.</p> <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, should respect the existing or preferred neighbourhood character.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

	<p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>✓ Standard met Garages are visually compatible with the development and neighbourhood character.</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. Whether the design is innovative and of a high architectural standard.</p>	
<p>Objective</p>	<p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

Clause 55.06-2 Front fences objective Standard (Summarised)		Standard Met/Standard Not Met/NA						
Title & Objective	Standard B32	N/A No front fence proposed						
	<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>"Maximum 1.5 metre height in streets in Transport Road Zone 2</p> <p>1.2 metre maximum height for other streets"</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 border="1"> <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	N/A No front fence proposed
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	To encourage front fence design that respects the existing or preferred neighbourhood character.							

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (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.	Standard met The proposed development would clearly delineate public, communal and private areas.
Objectives		Common property, where provided, should be functional and capable of efficient management.	Standard met Common property would be functional and capable of efficient management.
		To ensure that communal open space, car parking, access areas and site facilities are practical, attractive, and easily maintained. To avoid future management difficulties in areas of common ownership.	

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.	Standard met The design and layout of the proposed development would provide sufficient space and facilities for services to be installed and maintained efficiently and economically.
Decision Guidelines		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 Bins for each dwelling have been shown on the plans.
		Mailboxes should be provided and located for convenient access as required by Australia Post.	Standard met Mailboxes have been shown on the plans.
		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.	

2.3.1 Town Planning Application - No. 15 and 17 Barnett Grove, Noble Park (Planning Application No. PLN21/0396) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 15 AND 17 BARNETT GROVE,
NOBLE PARK (PLANNING APPLICATION NO. PLN21/0396)**

ATTACHMENT 5

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

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

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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.

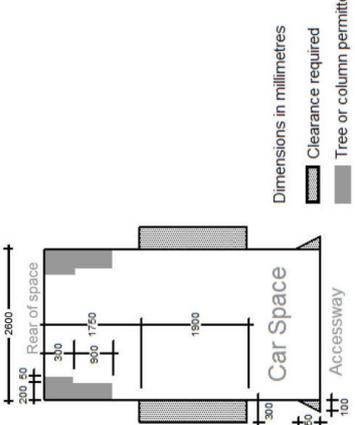
Design Standards	Assessment	Requirement met/Requirement not met/N/A
Design standard 1 - Accessways	Accessways must:	✓ Standard met
	• Be at least 3 metres wide.	Provided – 3.0m
	• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	✓ Standard met
	• 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.	N/A
	• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheelbase of 2.8 metres.	The proposal does not comprise of a public car park. ✓ Standard met
	• 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.	No overhead obstructions less than 2.1m ✓ Standard met
	• 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.	✓ Standard met
	• 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.	N/A
	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.	✓ Standard met
	If entry to the car space is from a road, the width of the accessway may include the road.	✓ Standard met

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<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 border="1"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>✓ Standard met</p>
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<p>✓ Standard met</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>Dimensions in millimetres ■ Clearance required ■ Tree or column permitted</p>	<p>✓ Standard met</p> <p>Dwelling 1 Single garage 6.0m x 2.6m Tandem car space 4.9 m x 2.6m</p> <p>Dwelling 2 - Double garage 6.0m x 5.5m</p> <p>Dwelling 3 Single garage 6.0m x 2.6m Tandem car space 4.9 m x 2.6m</p> <p>Dwelling 4 - Double garage 6.0m x 5.5m Dwelling 5 - Single garage 6.0m x 2.6m</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>	

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	<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>✓ Standard met</p> <p>N/A No disabled car parking spaces are proposed.</p>													
<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p> <p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p> <p>Table 3: Ramp gradients</p> <table border="1" data-bbox="622 873 813 1545"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	<p>✓ Standard met Accessway grades are not steeper than 10%</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
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<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <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. 	<p>N/A No mechanical parking is proposed.</p> <p>N/A</p> <p>N/A</p>													

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Design standard 5: Urban design	Ground level car parking, garage doors and accessways must not visually dominate public space.	✓ Standard met Ground level car parking, garage doors and the accessways would not visually dominate public space.
	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 The proposed development does not include car parking at the entry point of the site
	Design of new internal streets in developments must maximise on street parking opportunities.	✓ Standard met The provision of crossovers at either end of the Kirkham Road frontage of the site would maximise on street parking opportunities.
Design standard 6: Safety	Car parking must be well lit and clearly signed.	✓ Standard met The car parking areas would be capable of being well lit.
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Standard met The design of the car parking area would maximise natural surveillance and pedestrian visibility from the adjacent dwellings.
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met
Design standard 7: Landscaping	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
	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	✓ Standard met The layout of the car parking areas would provide for landscaping.
	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 Landscaping and trees could be planted along the accessways to provide shade and shelter and soften the appearance of ground level car parking.
	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