

Appendix 3 – Assessment against relevant Planning Scheme controls

<i>Planning Scheme Reference</i>	<i>Assessment</i>
Planning Policy Framework (PPF)	
Clause 11 (Settlement)	<p>Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.</p> <p>Planning is to recognise the need for, and as far as practicable contribute towards diversity of choice, a high standard of urban design and amenity and energy efficiency.</p> <p>The proposal will make more efficient use of residential land which is fully serviced and has access to a wide range of infrastructure and services.</p>
Clause 15.01-2S (Building Design)	<p>The objective of this clause is to achieve building design outcomes that contribute positively to the local context and enhance the public realm.</p> <p>The proposal complies with this clause.</p>
Clause 15.01-1S (Urban Design)	<p>The objective of this clause is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</p> <p>The built form of the proposal is generally consistent with the existing buildings in the surrounding area.</p>
Clause 15.01-5S (Neighbourhood character)	<p>The objective of this clause is to recognise, support and protect neighbourhood character, cultural identity, and sense of place.</p> <p>The design response is in keeping with character of the area in terms of scale, form and appearance.</p>
Clause 15.02-1S (Energy and resource efficiency)	<p>The objective of this clause is to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.</p> <p>The proposal generally complies with this clause.</p>
Clause 16 (Housing)	<p>Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.</p> <p>Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.</p> <p>Planning for housing should include the provision of land for affordable housing.</p>

	The proposal generally complies with this clause.
Clause 16.01-4S (Housing affordability)	The objective of this clause is to deliver more affordable housing closer to jobs, transport and services. The proposal generally complies with this clause.
Clause 16.01-3S (Housing diversity)	The objective of this clause is to provide for a range of housing types to meet diverse needs. The proposed development will add to dwelling diversity in the area.
Clause 16.01-2S (Location of residential development)	The objective of this clause is to locate new housing in designated locations that offer good access to jobs, services and transport. The proposal will add to the housing diversity in this location and make a modest contribution towards urban consolidation i.e. reducing the need for brand new residential estates on the edge of Melbourne.
Clause 16.01-1S (Integrated housing)	The objective of this clause is to promote a housing market that meets community needs. The proposal complies with this clause.
Local Planning Policy Framework (LPPF)	
Clause 21.01-4 (Vision)	The Melton City Council is committed to strategically and inclusively planning for the future. Council's vision is to create <i>a thriving community where everyone belongs</i> . Council seeks to achieve the following outcomes for its community: <ul style="list-style-type: none"> • A City of people leading happy and healthy lives. • A City that preserves and enhances its natural environment for future generations. • A City with a clear vision to manage growth in a sustainable and accessible way. • A City rich in local employment and education opportunities. • An organisation operating with innovation, transparency, accountability and sustainability. The proposal is consistent with this clause.
Clause 21.02-1 (Urban Growth Areas)	The objective of this clause is: <ul style="list-style-type: none"> • To manage urban growth in a planned and orderly manner The proposal complies with this clause.
Clause 21.07-1 (Local character and sense of place)	The objective of this clause is: <ul style="list-style-type: none"> • To create healthy and safe communities. • To protect the preferred neighbourhood character in established residential areas of the municipality.

	<ul style="list-style-type: none"> To create communities that are attractive and desirable places in which to live, work and visit. <p>The proposal complies with this clause.</p>
Clause 22.12 (Housing Diversity Policy)	<p>The objective of this clause is to</p> <ul style="list-style-type: none"> To encourage the provision of affordable housing options for households of all income levels; To protect and enhance the neighbourhood character of residential areas where appropriate; To facilitate a diverse range of housing to meet the needs of a diverse population and provide genuine choice in housing products; To support increased residential densities in locations with high levels of access to infrastructure, services and transport and To encourage innovative housing design and development that is adaptable, site responsive and environmentally sustainable. <p>It is policy to:</p> <ul style="list-style-type: none"> Encourage the development of a range of housing options throughout the municipality. Ensure that new development does not impact adversely on areas of recognised neighbourhood character. Encourage higher density development to locate in areas with high levels of accessibility to infrastructure and services. Encourage the redevelopment of well located infill sites. Encourage housing development that features innovative design and responds to the principles of sustainability. <p>The proposed development adds to dwelling diversity in the area.</p>
Zone	
Clause 37.07 (Urban Growth Zone)	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To contain urban use and development to areas identified for urban development in a precinct structure plan. <p>The proposal complies with this clause.</p>
Clause 32.08 (General Residential Zone)	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To encourage development that respects the neighbourhood character of the area.

	<ul style="list-style-type: none"> To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. <p>The proposed design response and dwelling density is consistent with the purpose of the zone.</p>
Overlay	
Clause 45.06 Development Contributions Plan Overlay – Schedule 1 (DPCO1)	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence. <p>A Development Contributions Plan has been prepared for the Taylors Hills West PSP. The Plan outlines a summary of costs attributable to the development area, and a summary of contributions by way of levies payable by the development. The subject site was created as part of Stage 16 of Planning Permit No. PA2012/3628/1. Development Contributions for Stage 16 were paid prior to issue of Statement of Compliance for this stage.</p>
Particular Provisions	
Clause 52.06 (Car parking)	<p>This purpose of this clause is:</p> <ul style="list-style-type: none"> 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 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. <p>Provision of car parking within the development accords with Clause 52.06.</p> <p>According to Clause 52.06-9 accessways must have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</p> <p>The above will be conditioned if any permit is to issue.</p>
Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)	<p>The purpose of this clause is to achieve residential development that respects the existing neighbourhood character and encourage residential development that provides reasonable standards of amenity for existing</p>

	and new residents. The proposal generally complies with the requirements of Clause 55. A detailed assessment of the proposal against the provisions of Clause 55 are detailed in Table 1.
Clause 65 Decision Guidelines	Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. The proposal generally complies with the decision guidelines of Clause 65.

Table 1, Clause 55 Assessment (Rescode)

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B1	Neighbourhood Character	✓	✓	It is considered that the proposed development is generally consistent with the character of the area which comprised of single storey dwellings, double storey dwellings and triple storey dwellings.
B2	Residential Policy	✓	✓	Complies.
B3	Dwelling Diversity	✓	✓	Complies. Each dwelling will comprise a laundry, toilet, wash basin, open plan kitchen/dining/living and a double garage at ground level and 3 bedrooms and a bath located at the first floor. Dwellings 1 and 9 will have a total floor area of 165.48m ² and 154.03m ² respectively. Dwellings 2 to 8 will each have a total floor area of 165.48m ² . Dwelling 10 will have a floor area of 163.52m ² .
B4	Infrastructure	✓	✓	Complies.

B5	Integration with the street	✓	✓	Complies.
B6	Street setback	✓	<p style="text-align: center;">X</p> <p>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</p> <p>The minimum setback from the street should be 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.</p>	<p>Variation.</p> <p>Dwellings 1 and 10 will have frontages to Vinko Court with street setbacks of 9.99 and 3m respectively. The triple storey development on the adjoining lot to the south of the site is set back 12.13m from Vinko Court.</p> <p>The adjoining lot to the north of the site is vacant.</p> <p>The variation sought is acceptable considering the site and the adjoining lot to the south have irregular lot frontages to Vinko Court. As such a consistent street setback cannot be achieved.</p>
B7	Building height	✓	<p style="text-align: center;">✓</p> <p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>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</p>	<p>Complies.</p> <p>The overall building height of the development is 7.6m which is less than the 9m specified under this standard.</p>

			height should not exceed 10 metres. Changes of building height between existing buildings and new buildings should be graduated.	
B8	Site coverage	✓	✓	Complies. The proposal has a site coverage of approximately 45.66% which is less than the permitted 60% site coverage.
B9	Permeability	✓	<p>✓</p> <p>The site area covered by the pervious surfaces should be at least:</p> <p>The minimum area specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 percent of the site.</p> <p>The stormwater management system should be designed to:</p> <p>Meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999).</p> <p>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</p>	Complies. The developments site's permeability is 32.62%.
B10	Energy efficiency	✓	✓	Complies.
			Buildings should be:	

			<ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged. • Living areas and private open space should be located on the north side of the development, if practicable. • Developments should be designed so that solar access to north-facing windows is maximised. 	
B11	Communal and	✓	✓	Not applicable.

	public open space		<p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate. • Provide outlook for as many dwellings as practicable. • Be designed to protect any natural features on the site. • Be accessible and useable. 	
B12	Safety	✓	<p>✓</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies subject to conditions.</p> <p>The layout of the development will ensure the future safety and security of residents. The entrance of the proposed dwellings will be visible from the street or on entry to the site.</p> <p>Private areas within the development will be secured via appropriate fencing.</p> <p>Amended plans will be required to show lighting along the accessway.</p>
B13	Landscaping	✓	✓	<p>Complies subject to conditions.</p> <p>No landscape has been submitted with the application.</p>

B14	Access	✓	<p style="text-align: center;">✓</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 the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	Complies.
B15	Parking location objectives.	✓	<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>Complies subject to conditions.</p> <p>The habitable living room windows at ground floor of Dwellings 2 to 8 are set back 1m from the shared accessway and the sill height are less than 1.4m above the accessway. The sill height of these windows will be required to be addressed by amended plans if any permit is to issue.</p>

				The habitable living room windows at the ground floor of Dwelling 9 are not located in accordance with standard B15 of Rescode. This will be required to be addressed by amended plans if any permit is to issue.
B17	Side and rear setbacks	✓	<p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <p>At least the distance specified in a schedule to the zone, or 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> <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>Complies.</p> <p>The first floor of the proposed Dwellings 4 and 5 is set back 3.08m from the western boundary. The first floor of the proposed Dwelling 1 is set back 2.07m from the southern boundary.</p> <p>The first floor of the proposed Dwellings 2, 3, and 4 is set back 2.41m from the southern boundary.</p> <p>The first floor of the proposed Dwellings 5, 6, 7, and 8 is set back 2.4m from the northern boundary.</p> <p>The first floor of the proposed Dwelling 9 is set back 1.87m from the northern boundary.</p> <p>The first floor of the proposed Dwelling 10 is setback 2.38m from the northern boundary.</p> <p>The proposed side and rear setbacks comply with this standard.</p>
B18	Walls on boundaries	✓	✓	<p>Complies.</p> <p>No walls are proposed on boundary.</p>
B19	Daylight to existing windows	✓	✓	<p>Complies.</p> <p>Buildings opposite an existing habitable</p>

			<p>room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>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>	
B20	North-facing windows	✓	<p>✓</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre</p>	Complies.

			of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.	
B21	Overshadowing open space	✓	<p>✓</p> <p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with 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 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Complies.</p> <p>The secluded private open spaces (spos) of the two properties adjoining the site on the western boundary will be overshadowed at 9.00am on 22 September. The extent of overshadowing will gradually reduce after 9.00am, at midday the shadow will be significantly minimal and at 3.00pm there will be no overshadowing. It is considered that the secluded private open spaces will receive a minimum of five hours of sunlight on 22 September as required by this standard.</p>
B22	Overlooking	✓	✓	<p>Complies.</p> <p>Fixed obscure glazing in any part of the first floor windows below 1.7m above floor level is proposed on the east, west and south elevations.</p>
B23	Internal views	✓	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of	<p>Complies.</p> <p>Obscure glazing in any part of the window below 1.7 metres above floor</p>

			the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	level is proposed within the development to limit internal views.
B24	Noise impacts	✓	<p>✓</p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	No external noise impacts have been identified. The subject site and all adjoining properties are residential in nature.
B25	Accessibility	✓	<p>✓</p> <p>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.</p>	Complies.
B26	Dwelling entry	✓	<p>✓</p> <p>To provide each dwelling or residential building with its own sense of identity.</p>	<p>Complies subject to conditions.</p> <p>The dwelling entries of the proposed development will be visible from the street or on entry to the site.</p> <p>A transitional area around the entry points to Dwellings 2 to 8 is required to be provided. This can be achieved through building articulation and appropriate setbacks from the internal accessway.</p>
B27	Daylight to new windows	✓	<p>✓</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 	Complies.

			<p>a light court with a minimum area of 3 square metres and</p> <ul style="list-style-type: none"> • 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 one third of its perimeter, or <p>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</p>	
B28	Private open space	✓	<p>✓</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>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> <p>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</p>	<p>Complies.</p> <p>Each dwelling will at least have 25m² of secluded private open space and 40m² of private open space.</p>

			<p>from a living room, or</p> <p>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</p> <p>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</p>	
B29	Solar access to open space	✓	<p>X</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p>	<p>Variation.</p> <p>The proposed secluded private open spaces of Dwellings 2 to 4 are located on the southern side of the dwellings. The height of the wall north of the secluded private open spaces is 5.975m.</p> <p>Accordingly, the southern boundary of the secluded private open space of Dwellings 2 to 4 should be set back from this wall a minimum of 7.4m. This requirement is not met as the the secluded private open spaces are set back 5.9m from the north wall. As such a variation is sought.</p> <p>The decision guidelines under Standard B29 state that Council must consider the design response and the useability and amenity of the secluded private open space based on the sunlight it will receive. The secluded private open spaces of Dwellings 2 to 4 will not significantly be overshadowed at 9.00am as shown on the submitted shadow</p>

				<p>diagrams. At 12.00 noon the secluded private open spaces for Dwellings 3 and 4 will be significantly overshadowed with exception of Dwelling 2 that will be partially overshadowed as shown on the submitted shadow diagrams.</p> <p>At 3.00pm the secluded private open spaces for Dwellings 2 to 4 will be significantly overshadowed as shown on the submitted shadow diagrams.</p> <p>Given the angled orientation of the site and that the secluded private open spaces of the dwellings will receive sunlight in the morning, the proposal in its current form is supported as the functionality of the proposed secluded open spaces will not substantially be compromised.</p>
B30	Storage	✓	✓ Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	<p>Complies.</p> <p>Dwellings 1 will have 6m³ of externally accessible storage space.</p> <p>Dwellings 2 to 9 will have 6m³ of storage space underneath the staircases accessed from the garages.</p> <p>Dwellings 10 will have 6m³ of storage space located within the garage.</p>
B31	Design detail	✓	✓ The design of the buildings, including: • Façade	<p>Complies.</p> <p>The design of the development and the proposed materials and finishes will ensure the building sits comfortably</p>

			<p>articulation and detailing,</p> <ul style="list-style-type: none"> • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	within the streetscape.
B32	Front fences	✓	✓	No front fence is proposed.
B33	Common property	✓	✓	Complies.
B34	Site services	✓	✓	Complies. The development will provide bin storage spaces, mailboxes and clothelines that can conveniently be accessed by future residents.
			<p>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable,</p>	

			<p>waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	
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