

Appendix 3 – Assessment against relevant Planning Scheme controls

Planning Scheme Reference	Assessment
Planning Policy Framework	
Clause 11 (Settlement)	<p>Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.</p> <p>Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.</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 11.02-1S (Supply of urban land)	<p>The objective of this clause is <i>“to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”</i>.</p> <p>Planning for urban growth should consider:</p> <ul style="list-style-type: none"> • Opportunities for the consolidation, redevelopment and intensification of existing urban areas. • Neighbourhood character and landscape considerations. <p>The proposed development makes more efficient use of the land with the provision of three dwellings on a site which currently contains a single dwelling.</p> <p>However, the proposal is considered to be out of character of the area and three dwellings on a lot reduces landscaping opportunities that is consistent with the surrounding area.</p>
Clause 15 (Built Environment and Heritage)	<p>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.</p> <p>Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.</p> <p>It is considered the proposal does not appropriately respond to its surrounding landscape and character due to the bulky appearance of the proposed dwellings.</p>
Clause 15.01-2S (Building design)	<p>The objective of this clause is <i>“to achieve building design outcomes that contribute positively to the local context and enhance the public realm”</i>.</p> <p>The proposal does not respond well to its local context through the scale and massing of the proposed dwellings. The proposed dwellings are likely to cause a material detriment to neighbouring properties.</p>

Clause 15.01-5S (Neighbourhood character)	<p>The objective of this clause is <i>“to recognise, support and protect neighbourhood character, cultural identity, and sense of place”</i>.</p> <p>The design response does not support or protect the neighbourhood character of the surrounding area based on its scale, form and appearance.</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> <p>The proposal is within walking distance of schools, public transport and open space and is generally consistent with this clause.</p>
Clause 16.01-1S (Housing supply)	<p>The objective of this clause is <i>“to facilitate well-located, integrated and diverse housing that meets community needs”</i>.</p> <p>The proposal increases the supply of housing in an existing urban area that is currently well integrated with infrastructure and services.</p> <p>However, well-designed housing should provide a high level of internal and external amenity. The scale and form of the proposed dwellings is inconsistent with the character of the area and therefore impacts on the external amenity of the development.</p>
Local Planning Policy Framework	
Clause 21 (Municipal Strategic Statement)	<p>The Melton City Council Municipal Strategic Statement contains a description of the present day municipality and the key influences and issues Council will face. It provides Council’s vision to create <i>“a thriving community where everyone belongs”</i>.</p>
Clause 21.02-2.3 (Established areas – Objectives and strategies)	<p>The two objectives of this clause are:</p> <ul style="list-style-type: none"> To ensure a range of housing is available to meet changing demand and improve affordability and accessibility in established suburbs. To identify and protect the preferred neighbourhood character of residential areas. <p>The proposal will increase the range of housing in an established area, improving affordability and accessibility. However, the design response is not in keeping with the character of the area in terms of its scale, form and appearance.</p>
Clause 21.07-1.3 (Built Environment and Heritage – Objectives and strategies)	<p>The relevant objectives of this clause are:</p> <ul style="list-style-type: none"> To protect the preferred neighbourhood character in established residential areas of the municipality. To create communities that are attractive and desirable places in which to live, work and visit. <p>The proposal does not protect the preferred neighbourhood character of the established residential area. Although there is unlikely to be a significant impact to the appearance of the street</p>

	with the proposed dwellings behind the existing dwelling, the adjoining properties will have a significantly altered view that is not in keeping with the neighbourhood character of the area.
Clause 21.08-1-3 (Housing – Objectives and strategies)	<p>The relevant objectives of this clause are:</p> <ul style="list-style-type: none"> To increase housing diversity within the City of Melton. To promote affordable housing options for households of all income levels. To promote opportunities for site consolidation and support more intensive residential development close to activity centres and major public transport nodes. <p>It is acknowledged the proposal is an opportunity for site consolidation and increases housing diversity within the City of Melton.</p> <p>However, the site is not within proximity of activity centres and major public transport nodes.</p>
Clause 22.12 (Housing Diversity Policy)	<p>The objectives of this clause are:</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. 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>It is considered the site is an opportunity for some level of redevelopment with access to nearby open space and infrastructure.</p> <p>However, the proposal is not considered site responsive as the scale and built form does not respect the preferred neighbourhood character of the area. The proposal is likely to have an adverse impact on the amenity of the adjoining properties through its visual bulk.</p>
Zone	
General Residential Zone	The relevant purposes of the General Residential Zone area:

	<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. • To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. <p>Although the proposed dwellings encourage diversity of housing types and housing growth in a location with access to services and transport, the development does not respect the neighbourhood character of the area and is therefore inconsistent with the purpose of the zone.</p>
Particular Provisions	
<p>Clause 52.06 (Car parking)</p>	<p>The purpose of this clause is <i>“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”</i>.</p> <p>The existing dwelling contains four bedrooms and the two proposed dwellings will be comprised of three bedrooms. All three dwellings require two car parking spaces under this clause.</p> <p>A single car garage and an open car space in tandem is provided to all three dwellings.</p>
<p>Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)</p>	<p>The purposes of this clause are:</p> <ul style="list-style-type: none"> • 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. <p>The proposal is inconsistent with the requirements of Clause 55 and particularly its lack of respect to the existing neighbourhood character. A detailed assessment of the proposal against the provisions of Clause 55 is detailed in Table 1.</p>
General Provisions	
<p>Clause 65 (Decision Guidelines)</p>	<p>The provision outlines that before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> • The matters set out in Section 60 of the Act. • The Municipal Planning Strategy and the Planning Policy Framework. • The purpose of the zone, overlay or other provision. • Any matter required to be considered in the zone, overlay or other provision. • The orderly planning of the area. • The effect on the amenity of the area.

	The proposal is considered to be inconsistent with the Planning Policy Framework, Local Planning Policy Framework, General Residential Zone and Particular Provisions. In particular, the proposal is likely to have a detrimental impact on the amenity of the surrounding area.
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Table 1, Clause 55 Assessment (ResCode)

Clause 55 – Two or More Dwellings on a Lot and Residential Buildings	Assessment	Compliance
<i>Neighbourhood Character and Infrastructure</i>		
Clause 55.02-1 – Neighbourhood character objective <i>Standard B1</i>	The development in terms of its scale, built form and setbacks is considered inconsistent with the neighbourhood character of the area. Ample visual separation between dwellings is not provided similar to the surrounding area.	Does not comply
Clause 55.02-2 – Residential policy objectives <i>Standard B2</i>	The design is inconsistent with the relevant policies.	Does not comply
Clause 55.02-3 – Dwelling diversity objective <i>Standard B3</i>	N/A	N/A
Clause 55.02-4 – Infrastructure objectives <i>Standard B4</i>	The development will be connected to all required services.	Complies
Clause 55.02-5 – Integration with the street objective <i>Standard B5</i>	The existing dwelling will continue to be well integrated with the street.	Complies
<i>Site Layout and Building Massing</i>		
Clause 55.03-1 – Street setback objective <i>Standard B6</i>	The existing dwelling will retain its setback.	Complies
Clause 55.03-2 – Building height objective <i>Standard B7</i>	7.26 metres	Complies
Clause 55.03-3 – Site coverage objective <i>Standard B8</i>	36%	Complies
Clause 55.03-4 – Permeability and stormwater management objectives <i>Standard B9</i>	43% Adequate stormwater management can be achieved.	Complies

Clause 55.03-5 – Energy efficiency objectives <i>Standard B10</i>	The proposed development will unreasonably reduce the energy efficiency of the existing dwelling to the south. A rooftop solar energy system on the existing dwelling to the south of the site was not installed at the time the application was lodged. However, prior to Council receiving a revised application, the rooftop solar energy system was installed. The combination of reduced sunlight to north-facing habitable room windows for the existing dwelling to the south and the impacts to the rooftop solar energy system results in unreasonable energy efficiency to this adjoining dwelling.	Does not comply
Clause 55.03-6 – Open space objective <i>Standard B11</i>	There are no common communal areas.	N/A
Clause 55.03-7 – Safety objective <i>Standard B12</i>	The entrances for all dwellings will not be obscured or isolated from the street or accessway. The driveway and crossover will have good safety, security and visibility.	Complies
Clause 55.03-8 – Landscaping objectives <i>Standard B13</i>	Appropriate landscaping can be provided subject to a landscape plan.	Complies subject to a landscape plan
Clause 55.03-9 – Access objective <i>Standard B14</i>	The existing crossover will be retained.	Complies
Clause 55.03-10 – Parking location objectives <i>Standard B15</i>	Parking is provided on site. Habitable room windows are adequately set back from the shared accessway.	Complies
<i>Amenity Impacts</i>		
Clause 55.04-1 – Side and rear setbacks objective <i>Standard B17</i>	The side setbacks are not respectful of the existing neighbourhood character. The eaves, particularly of Dwelling 2, are located in proximity of the southern property boundary and is inconsistent with the surrounding area.	Does not comply
Clause 55.04-2 – Walls on boundaries objectives <i>Standard B18</i>	The garage for Dwelling 3 will be constructed on the northern property boundary and will not exceed the maximum length or height of Standard B18.	Complies
Clause 55.04-3 – Daylight to existing windows objective <i>Standard B19</i>	Daylight access to the existing habitable room windows to the dwelling to the south of the proposal will be reduced for a significant portion of the day and impact on the amenity of this dwelling.	Does not comply
Clause 55.04-4 – North-facing windows objective <i>Standard B20</i>	As above, the existing north-facing habitable room windows of the existing dwelling to the south of the proposal will have its amenity impacted.	Does not comply

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Clause 55.04-5 – Overshadowing open space objective <i>Standard B21</i>	Although there is some slight overshadowing of the secluded private open space to the existing dwelling to the south, sufficient sunlight will be available throughout the day for the majority of the secluded open space.	Complies
Clause 55.04-6 – Overlooking objective <i>Standard B22</i>	Overlooking into existing secluded private open space has been addressed with window sill heights at least 1.7 metres above floor level and obscured glazing below 1.7 metres.	Complies
Clause 55.04-7 – Internal views objective <i>Standard B23</i>	Internal views are limited with window sill heights at least 1.7 metres above floor level and obscured glazing below 1.7 metres.	Complies
Clause 55.04-8 – Noise impacts objective <i>Standard B24</i>	Noise impacts are unlikely to occur and will be typical of residential dwellings.	Complies
<i>On-Site Amenity and Facilities</i>		
Clause 55.05-1 – Accessibility objective <i>Standard B25</i>	The dwellings have been designed with the consideration of the needs of people with limited mobility.	Complies
Clause 55.05-2 – Dwelling entry objective <i>Standard B26</i>	The dwellings will be identifiable from the street and accessway and will have their own sense of identity and address.	Complies
Clause 55.05-3 – Daylight to new windows objective <i>Standard B27</i>	All habitable room windows have at least 3 square metres in light wells and at least 1 metre clear to the sky.	Complies
Clause 55.05-4 – Private open space objective <i>Standard B28</i>	All dwellings have at least 40 square metres of private open space and a minimum dimension of 3 metres.	Complies
Clause 55.05-5 – Solar access to open space objective <i>Standard B29</i>	Adequate solar access will be achieved for the secluded private open space for all dwellings.	Complies
Clause 55.05-6 – Storage objective <i>Standard B30</i>	A 6 cubic metre storage area is located in the garage or private open space for all dwellings.	Complies
<i>Detailed Design</i>		
Clause 55.06-1 – Design detail objective <i>Standard B31</i>	Although the dwellings contain a roof form and eaves that are consistent with the surrounding area, the overall development presents as visually bulky to the adjoining properties. The slope of the land and the double storey elements mean the dwellings appear taller when viewed at different vantage points on the adjoining properties and is not acceptable to the existing neighbourhood character.	Does not comply

Clause 55.06-2 – Front fences objective <i>Standard B32</i>	None proposed.	N/A
Clause 55.06-3 – Common property objectives <i>Standard B33</i>	The accessway will be common property for all dwellings. It is unlikely there will any issues in terms of future management of the accessway.	Complies
Clause 55.06-4 – Site services objectives <i>Standard B34</i>	Site services and facilities can be installed and accessed easily.	Complies

House Rules – Housing Character Assessment and Design Guidelines – Garden Court 1

The Housing Character Assessment and Design Guidelines (House Rules) was adopted by Council on 13 October 2015 and was gazetted into the Melton Planning Scheme as a reference document on 18 April 2019. The subject land is located in a Garden Court 1 (GC1) area. An assessment against the Design Guidelines for the GC1 area is provided in the table below:

Table 2, Garden Court 1 (GC1) Assessment

Design Response	Assessment	Compliance
Front setback	There will be no change to the front setback of the existing dwelling. A landscaped strip between the driveway and side boundary is provided. A permeable area of at least 60% is provided.	Complies
Side setback	Visual separation between buildings should be provided via a minimum 1 metre dwelling setback from one side boundary and 2 metres from the other side. The garage for Dwelling 3 is located on the northern property boundary and a 1 metre setback is provided for Dwelling 2 to the southern property boundary. The proposed design is not compliant with this objective.	Does not comply
Garages and car ports	The garages are set back behind the line of the dwellings and are not a dominant built form.	Complies
Vehicle crossing	The existing vehicle crossover will be retained. No street trees will be impacted.	Complies
Height and form	Height and form should maintain a consistent scale of built form in the character area. The maximum building height will be 7.26 metres. Although the height does not exceed the maximum of 9 metres, the slope of the land to the west (rear) of the site means the view of the proposed dwellings will appear taller and have an imposing scale from certain vantage points on the adjoining sites. The walls on the southern elevation have little articulation and are not appropriately broken	Does not comply

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	up by windows which appears as a generally blank façade.	
Trees and other vegetation	A minimum permeable area of 40% of the site is provided. 40 square metres of private open space with a minimum dimension of 4 metres is provided for all dwellings. The proposed dwellings however do not maintain and strengthen the garden setting of the existing neighbourhood character.	Does not comply
Front fence	No front fence is proposed.	Complies
Colours and materials	The proposed dwellings will use colours and materials that are generally respectful to neighbourhood character.	Complies