

Amended Town Planning Report –

Prepared on behalf of the permit-applicant to justify the development of four double storey dwellings at 221 Hogans Road, Hoppers Crossing.

(Amended Plans Submitted to Council on 2/5/2020)

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INTRODUCTION

The land that is the subject of this application is a regular-shaped corner block, which is located on the south-east corner of Hogans Road and Dowling Avenue.

The land currently accommodates an existing single storey dwelling, having three bedrooms and a garage with vehicle access at the Dowling Avenue frontage.

It is proposed to construct four new double storey dwellings on the subject land, three of which accommodate three bedrooms and one having two bedrooms. All four dwellings accommodate a single garage.

Proposed vehicle access for all four dwellings is proposed via Dowling Avenue as Hogans Road is defined as a Road Zone-Category 2 and carries far more traffic than Dowling Avenue.

The subject site has an area of approximately 735 square metres and is relatively flat with no noticeable fall.

It is submitted that the proposed development represents a site responsive, double storey development for this corner site.

The proposed design elements associated with the proposal are considered appropriate from a neighbourhood character point of view include appropriate materials that are common throughout this area, extensive articulation of walls, appropriate fenestration, an appropriate roof form and variation to design detail which would result in a high-quality design that will enhance the character of this area.

In terms of existing neighbourhood character, there are numerous examples of existing double storey dwellings within close proximity to the subject site, including a robust two storey dwelling directly opposite at 223 Hogans Road, which is also a corner site. The careful placement of the first floor components of all four dwellings; the physical separation through the centre of the site and the extensive articulation and the mix of materials also provide effective justification of the two storey form associated with all four proposed dwellings.

A planning permit is required pursuant to Clause 32.08-4 of the Wyndham Planning Scheme for the construction of more than one dwelling on the subject site that is within in a General Residential Zone (GRZ1).

There are no planning scheme overlays that affect the subject site.

It is submitted that the proposal accords with the purposes of the General Residential Zone (which encourages increased densities in well-served areas such as the subject site), as well as the ResCode requirements pursuant to Clause 55 of the Wyndham Planning Scheme.

AMENDED PLANS

Plans were substantially amended twice to address Council's concerns following the initial submission of this application.

Having regard to the latest proposal, the following is submitted:

1. The proposal accords with the Draft Zoning requirements for the General Residential Zone 3. This includes all four dwellings having the ability to accommodate two trees with a minimum height of 5 metres. The corner site affords the opportunity of accommodating one tree within the secluded open space and one within the front yard of each dwelling. Furthermore, the proposal provides in excess of the required 1.0 metre minimum side setbacks for Dwellings 1 and 4 (eastern and southern side boundaries of the subject site) from the southern side boundary. All four proposed dwellings include sections of secluded open spaces adjacent to living areas having a minimum width of 4 metres.
2. The recommendations of Wyndham Housing & Neighbourhood Character Strategy have been acknowledged in the redesign of this proposal. The subject site is to be included within the **Garden Court 1 Precinct**. This includes:
 - **Landscaping:** The generous front setbacks that are proposed, coupled with the corner site enabling landscaping potential along two street frontages, ensures that the proposal will achieve the desired landscape character. The subject site can easily accommodate the two trees per dwelling with a minimum height of 5 metres (in accordance with the Wyndham Landscape Guidelines 2018).
 - **Side and rear setbacks:** The recommendation is to provide a minimum side setback of 1.0 metre to one side boundary. The proposal satisfies this requirement, achieving the required 1.0 metres separation for Dwelling 1 from the eastern side boundary. Dwelling 4 has a side setback of 2.0 metres from the southern side boundary. This aspect of the Strategy only requires separation from one side boundary. This proposal includes side setbacks from both the eastern and southern boundaries to respect the preferred character.
 - **Private open space:** The secluded open spaces of all four proposed dwellings exceed 40 square metre and have convenient access from a living room. The proposed dwelling's secluded open spaces satisfy the 4.0 metre minimum dimension to a section adjacent to the living area.
3. The SDA report has been completed by Frater Consulting and justifies this proposal from a sustainability point of view.

4. The amended plans now reflect a greater improved dwelling diversity and affordability, whereby Townhouse 4 has been modified from a three-bedroom dwelling to a two-bedroom dwelling. Such provision now provides improved housing opportunity to a person/s on a more moderate income.
5. Each dwelling now has a 3,000 litre water tank that is located on a concrete pad.
6. Proposed Dwelling 1 facing Hogans Road now provides a 6.14 metre front setback. This setback is consistent with the front setback of the neighbouring dwelling at 219 Hogans Road. A 150mm front setback dispensation request being sought for proposed Dwelling 1 will not be noticeable from the public realm.
7. Each dwelling now has appropriate-sized storage sheds (6m³).
8. All bins are now included within the respective dwelling's secluded open space.
9. The proposal now reflects a far more recessive-looking built form, where cantilevered first floor components and sheer two-storey walls are no longer proposed for those elevations that directly face the two street frontages.
10. The façade treatments (which now includes greater variations to wall cladding; greater variation to roof span of respective dwellings; each dwelling having a different front porch design and window proportions varied throughout), will ensure that all four of the respective dwellings are different from one another. This should alleviate Council's previous concern that the front facades facing Dowling Avenue were considered somewhat monotonous and repetitive.
11. The attached building forms is a reflection of the more recent emerging character. However, the proposed built form has been 'broken up' through the centre, creating two separate 'pairs' of attached dwellings.
12. All bedrooms (being distinct from those rooms nominated as a study) will have the recommended 3.0 metre minimum dimensions as part of the revised proposal.
13. The current proposal reflects a clever and innovative design, creating a built form that is appropriate for this corner site.
14. The current proposal no longer includes front fences, which accords with the garden character of this area.
15. The revised proposal would have construction costs that equate to \$260,000 for three of the larger three-bedroom dwellings and \$215,000 for proposed Dwelling 4 being smaller than the other three dwellings. The total cost of the proposed development will be \$995,000.

16. Having a development cost under \$1,000,000, no additional fee's apply, nor does the proposal require the payment of the State Government MPL levy.

PLANNING POLICY FRAMEWORK

It is submitted that the proposed four dwelling development on the subject site does not conflict with the State Planning Policy Framework section of the Wyndham Planning Scheme.

Clause 11 – Settlement

This proposal satisfies the intent of this Clause through diversity of housing choice, facilitating economic viability of this area and promoting energy efficiency by providing additional housing close to public transportation.

The subject site is well serviced by buses, schools (both primary and secondary), activity centres and recreation facilities. The subject site is located within close walking distance to the Hogans Corner Shopping Centre, bus stops, schools and recreation reserves.

Clause 11.01-1S – Settlement

This Clause encourages in-fill redevelopment as a means of limiting urban sprawl. By providing for additional housing within an area that is within close proximity to existing activity centres and is well-served by public transport and schools reduces pressure on supply of urban land.

Clause 11.02 – Managing Growth

One of the Strategies relating to the supply of urban land is to plan to accommodate projected population growth over at least a 15-year period. In the short-term, additional housing growth should also be encouraged within established areas, justifying four dwellings on a large corner site.

Clause 15 – Built Environment

The proposal contributes positively to local urban design and maintains liveability, diversity, amenity and safety of the public realm.

The proposed dwellings are well-designed by way of the following:

- Variation of external cladding (face brick, render and timber-look garages).

- Interesting roof forms, which include the provision of eaves.
- Variation to window sizes throughout.
- Innovative design features such as parapet canopy features and overhanging elements in front of garages.

The fact that the subject site is a corner allotment is also a factor in determining the appropriate nature of this particular development. Often, VCAT has commented that corner sites in many cases provide additional opportunity to accommodate a more intensive building form and increased density in comparison to a mid-block in the same area.

One such decision is **Barbaro v Moonee Valley CC (2014) VCAT 566 (14 May, 2014)** whereby VCAT Member Carew allowed three double storey dwellings at 22 Kendall Street Essendon on a narrow corner lot, stating the following in paragraph 5 of the VCAT Order:

- *“The subject land is a corner allotment that provides an increased opportunity for redevelopment.”*

Clause 15.01-1S – Urban Design & Clause 15.01-2S Building Design

The proposal will achieve high standards in architecture and urban design, positively responding to the existing character. Accommodating a single dwelling at the Hogans Road street frontage will preserve the local (prevalent) subdivision pattern.

The architectural features and design detailing that are to be incorporated as part of this development will ensure that the proposal is consistent with the Clause 15.01-5S Objective and Strategies.

Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne

The proposed development of additional dwellings is consistent with the recommendation of this Clause with respect to the facilitation of increased housing in the established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport, justifying the proposed development.

Clause 15.02 – Sustainable Development

The proposed dwellings are required to achieve a six-star energy rating at the building stage.

This development accords with the current State Planning Policy, actively promoting urban consolidation. All four proposed dwellings have outdoor clothes drying, can accommodate 2000 litre water storage tanks and low-maintenance, drought-tolerant planting.

Despite Dwellings 3 and 4 not having north-facing living area windows, the proposed layout can be justified by a number of previous VCAT decisions, which include:

- **Architectural Plans & Permits v Darebin CC** [2008] VCAT 2426, whereby Member Naylor in her decision in paragraph 43 (which relates to an application for two attached side-by-side dwellings), states:

“The orientation of this site, the size of the site, and the layout of the dwellings are all features that contribute to the ability to provide north facing windows. The lack of north facing windows and the number of west facing windows is not, in my opinion, sufficient reason to refuse this application.”

The afore-mentioned decision is consistent with the following, being a more recent VCAT decision:

- **Sharp v Stonnington CC** [2014] VCAT 356, whereby Member Fong in her decision in paragraph 59 for a retirement village states:

“As for energy efficiency, a lot depends on the orientation of the lot. Not all dwellings can have a northern orientation. That is for this land and all other properties. Standard B10 acknowledges that it is not always possible for all dwellings to be on the north side of a development. Its recommendation is for living rooms and private open spaces to face north, if practicable.”

Promoting urban consolidation and increasing residential densities within well-serviced, established areas also reflects sustainable development. In this instance, the efficient use of a corner site is highly appropriate from a sustainability point of view.

When it comes to achieving the desired objectives of urban consolidation, it is the corner allotments that should be used efficiently.

There are a number of VCAT decisions that state that opportunities to use land efficiently should not be wasted. In **Teschendorf v Nillumbik SC (2007) VCAT 595**; Senior Member Byard and Member Wilson in paragraph 30 state:

“It is all too common for opponents of proposals to say that the intended development would be better if a floor was deleted or a lot was deleted or the like. Often they are looking at the question from a narrow perspective, perhaps of their own interests.

The public interest can be wider so that good planning looks to achieve an optimum yield that is neither too little nor too much.

It is poor planning to endorse a development that wastes an opportunity and fails to make proper use of scarce resources (in such cases land). In fact, there have been occasional decisions of this Tribunal that have refused a proposal for this very reason, namely that the proposal is an underdevelopment and underutilisation of the opportunity represented by the site.

Refusals or modifications to proposals on the basis that they would be overdevelopments are rather more common. It really adds nothing to the assessment of a proposal to say that, from some points of view, it would be easier if it were smaller. The question is, is this proposal acceptable?

The afore-mentioned comments are consistent with the following VCAT decision being **McColl v Stonnington CC (2008) VCAT 1318**; whereby Senior Member Byard in paragraphs 42 and 43 states:

“It is perfectly understandable that those proposing this development will seek to maximise the yield of dwellings reasonably possible of achievement on this site. That is, no doubt, in their financial interests. They are entitled to pursue those interests, but not beyond the limits of reasonable planning concerns.

It should not be supposed that good planning involves forever trying to minimise proposals.

Various significant planning policies and purposes, including that metropolitan document known as Melbourne 2030, look for urban consolidation as well as the provision of a variety of styles and size of dwellings to meet various needs.

They particularly look for such development in close proximity to shops and stations and the like; and to capitalise on existing infrastructure by making fuller use of it. Whilst it is right to say that overdevelopment represents bad planning, it can equally be said that underdevelopment compromises many important planning purposes, and is also bad planning.

It is the optimum or best balance between these competing considerations that should be sought. This certainly does not mean development that underutilises the potential of a site.”

The afore-mentioned comments are highly relevant for a large corner site that provides increased development potential and opportunity that should not be 'wasted' or 'underutilised.'

Clause 16 – Housing

This clause encourages diversity for housing and convenient access to activity centres, public transport, schools and open space.

The provision of four dwellings on the subject site satisfies the intent of this clause.

Clause 16.01-3R – Housing Diversity & Clause 16.01-4S Housing Affordability

This development facilitates both housing diversity and affordability.

The proposed three-bedroom, double storey dwelling is suitable for a very wide cross-section of the community, reflecting an affordable option for a new 'family home' which is located on a low-maintenance, compact parcel of land.

The provision of Townhouse 4 being a two-bedroom dwelling, provides a more affordable housing opportunity for a household with fewer occupants, facilitating dwelling diversity that helps contribute to greater dwelling affordability.

It is important for all areas to have housing options to meet the increasingly diverse housing needs.

Clause 18 - Transport

The provision of additional housing within an area that is well-serviced by public transport (buses), providing convenient access to Hoppers Crossing and Werribee train stations, which will accord with the intent of this Clause.

LOCAL PLANNING POLICY FRAMEWORK

Clause 21.01-1 – Municipal Profile

The increasing population of Wyndham (being one of the fastest growing municipalities in Australia), justifies increased housing opportunities. By 2031, it is expected that Wyndham's population is expected to grow by another 155,000 people.

The characteristics of the Wyndham community that would justify an increased supply of new three-bedroom dwellings on more compact parcels of land as outlined in Clause 21.01-1 include:

- A relatively high proportion of family households;
- A high birth rate;
- A larger average household size than metropolitan Melbourne;
- Growing levels of cultural diversity;
- A relatively low level of socio-economic disadvantage;
- Relatively lower levels of educational attainment;
- A growing level of unaffordable housing.

The intent of the planning scheme is to provide access to a range and quality of housing opportunities that will meet the needs of the growing population.

It is also stated in the planning scheme that the City of Wyndham is an area in which young families predominate, whereby Wyndham's housing provision has tended to be relatively uniform. Again, justifying the provision of three three-bedroom dwellings as well as all four dwellings having a two-storey form.

Dwelling diversity has not been ignored, as Townhouse 4 is a compact two-bedroom dwelling, resulting in a more affordable dwelling option.

Proposals such as the subject site are necessary (especially on corner sites where the land can be used efficiently), to provide for more affordable housing options in the short-term for younger families, as well as single, two, three and four person households justifying this proposed medium-density housing development.

This proposed four dwelling development provides for appropriate housing to cater for a wide cross-section of the community which is attributed to the proposal having two and three bedroom housing options.

The four dwelling development being proposed also represents housing that is highly suitable for single parent families. This household type generates demand for two and three bedroom dwellings on more compact, easy to maintain parcels of land.

By allowing the construction of four dwellings on the subject site will safeguard and promote housing diversity opportunity for this established, well-served residential area.

The recent increases in the cost of purchasing a house, as well as rises in the cost of renting, which includes housing within Hoppers Crossing, provides further justification to promote urban consolidation, to increase densities by using corner blocks efficiently to accommodate more dwellings.

Most of all, this section of Hoppers Crossing is well-served with schools, recreation facility, public transport and being located within convenient walking

distance from an activity centre and buses provide convenient access to train stations.

The area is well-serviced by buses, schools and recreation facilities, justifying the provision of a four-dwelling development on this large corner site, which would provide suitable accommodation for a wide cross-section of the community.

Clause 21.07-1 – Residential Development

The intent of the above-mentioned planning scheme objective is to provide access to a range and quality of housing opportunities that will meet the needs of the increasing population.

By allowing the construction of additional dwellings on the subject site will safeguard and promote housing diversity opportunity for this established, well-serviced residential area.

The recent increases in the cost of purchasing a house, as well as rises in the cost of renting, which includes housing within Hoppers Crossing, provides further justification to promote urban consolidation, to increase densities by efficiently utilising corner blocks to accommodate medium-density housing.

Most of all, this section of Hoppers Crossing is well-serviced with schools, recreation facility, public transport and being located within reasonable distance from an activity centre and buses provide convenient access to train stations.

The area is well-serviced by buses, schools and recreation facilities, justifying the provision of a four dwelling development on the subject site which can provide suitable accommodation for a wide cross-section of the community.

Having regard to **Clause 21.07-1 of the Wyndham Planning Scheme**, the population of the municipality is expected to grow.

Therefore, by increasing residential densities within reasonable proximity to a local activity centre and being within an area well-serviced by public transport, reflects a pragmatic approach to meeting the additional housing demand generated by the rapid population growth.

The provision of four three-bedroom dwellings on the subject land is considered appropriate based on future housing needs.

The proposal fully accords with **Clause 21.06** relating to **built environment**, by providing additional housing without adversely affecting the existing neighbourhood and garden character due to the appropriate design response.

Clause 22.04 - Neighbourhood Character

The proposal accords with Clause 22.04-3.1 having regard to the site being within the Garden Court Character Type.

This policy also seeks the protection of the existing tree canopy, where well established. The subject site does not accommodate significant trees.

The layout of the new dwellings will provide for large front open space area that can accommodate at canopy trees at the front of the respective dwellings. Permit conditions can be imposed requiring such provision.

The well-articulated and detailed two storey form is respectful of the existing neighbourhood character, that also includes nearby, existing two storey forms.

Also, the provision of a face brick cladding of walls as well as the hipped (Colorbond) roof form are aspects of the proposal that accord with the character of the area.

Utilising a lighter-looking (alternating) combination of painted weatherboard and render for the first floor wall cladding promotes 'lightness of structure' effectively minimising building bulk associated with the two-storey building form.

The subject site does not have an interface with open spaces and creek or river corridors.

Wyndham Housing & Neighbourhood Character Strategy

The subject land is within an **incremental change area** as defined in the Housing & Neighbourhood Character Strategy, which has recently been adopted by Council.

The proposal accords with the Objectives of the Strategy, which encourages moderate housing growth and diversification of housing, including townhouses as proposed on the subject site.

The proposal responds favourably to the preferred character statements of the Garden Court Character Type area.

Maintaining a single dwelling at the site frontage with physical separation from the side boundary, helps to preserve the existing streetscape character.

The desired preferred character statements that are considered met by this development, include:

- The spaciousness of the area to be reinforced by the generous front yard and setbacks from of the proposed dwellings.
- The physical separation of the built form through the centre of the subject site. Such provision minimises building bulk and avoids a continuous built form down the length of the site, being presented toward the Dowling Avenue sideage.
- The proposal maintains a single dwelling presentation toward the Hogans Road street frontage, maintaining the prevalent streetscape character.
- The generous landscaped areas proposed throughout the site and the use of an appropriately recessive, low-pitched roof form also acknowledges the existing spacious character, whilst providing for moderate housing growth, without adversely affecting the prevalent character of the area.

The most important justification of the proposed development is the housing diversity that such a proposal would deliver to this area, which is consistent to the objectives and actions encouraged by the Wyndham Housing & Neighbourhood Character Study.

The provision of a combination of three-bedroom and two-bedroom townhouses for this corner site provides. The proposed dwellings reflect suitable housing for a wide cross section of household types which has already been demonstrated in this report.

The efficient use of the land also facilitates for improved housing affordability, which is encouraged by the Wyndham Housing & Neighbourhood Character Study.

CLAUSE 52.06 – CAR PARKING

The proposal satisfies the **purpose** of Clause 52.06 ensuring the appropriate number of car parking spaces are provided for each of the four dwellings, based on each dwelling having three bedrooms.

The proposed car parking arrangement ensures that parking does not adversely affect the amenity of the locality. The manner in which the car parking has been designed will encourage occupiers of all four dwellings to park within the site due to the convenience of the proposed on-site parking.

The manner in which the car parking has been designed is to minimise the impact of the car parking structures onto the public realm.

This includes setting back the garages behind the front building lines and the overhanging elements in front of the garages, that will shadow two of the proposed garage doors (Townhouses 1 and 2).

From safety point of view, having all four garages have direct access via Dowling Street as opposed to the substantially busier Hogans Road.

The proposal accords with **Clause 52.06-2** relating to the provision of car parking spaces. All four dwellings provide the required two on-site car spaces as three dwelling have three bedrooms and one is a two-bedroom dwelling, achieves a surplus of one on-site car space.

The on-site parking for all four dwellings is consistent, being in the form of a single lock-up garage and an 'open' tandem car space in front.

The proposal fully accords with the **Clause 52.06-9** design standards for car parking.

Design Standard 1 – Accessways

Proposed accessways will have a width that is at least 3 metres wide.

The car spaces all facing Dowling Street can safely reverse out onto this street. Whereas Hogans Road is designated as Road Zone-Category 2 road.

The proposal has been designed to enable an area clear of visual obstructions which includes low letterboxes and planting at the Dowling Avenue frontage adjacent to the respective driveways.

All on-site car spaces provide the required 2.1 metres headroom beneath overhead obstructions which includes the respective dwelling's garages.

Design standard 2 – Car parking spaces

Car parking spaces and accessways accord with the minimum dimensions as outlined in Table 2. This also includes diagram 1 relating to clearance to car parking spaces.

Design standard 3 – Gradients

Due to the flat site, the proposal fully accords with Design Standard 3.

Design standard 4 – Mechanical parking

Not applicable to this application.

Design standard 5 – Urban design

Garage doors are appropriately set back and do not visually dominate the public realm.

Design standard 6 – Safety

The proposed car parking will be well lit. Permit conditions can be imposed to ensure compliance. The proposed car parking areas will maximise natural surveillance and pedestrian visibility.

Design standard 7 – Landscaping

The proposal will include landscaped buffers adjacent to the respective driveways to soften the appearance of this car space.

Clause 52.06-11 – Construction of car parking

The plans include all of the required information relating to the construction of the on-site car parking.

CLAUSE 53.18-3

A Sustainable Design Assessment (SDA) report has been completed by a suitably qualified consultant that should satisfy the requirements of Clause 53.18-3 of the Wyndham Planning Scheme.

The SDA recommendations have been incorporated into plan form.

These plans outline double glazing to windows and sliding doors; permeable areas throughout the site; heating and cooling systems; rainwater collection as well as stormwater treatment.

RESCODE ASSESSMENT – CLAUSE 55**CLAUSE 55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

This application has been accompanied by a neighbourhood and site description and a design response, as well as a photographic analysis of the area.

55.01-1 Neighbourhood and site description

The neighbourhood and site description utilises a site plan outlining the surrounding, existing context.

55.01-2 Design response

The design response that has been prepared for the subject site outlines the proposal within the context of surrounding properties.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

55.02-1 Neighbourhood character objectives

It is submitted that the proposed design respects the existing neighbourhood character by proposing four appropriately designed double storey dwellings on a corner site, positively addressing both street frontages.

The proposal has been sensitively designed to respect the existing character of the surrounding area which includes a mix of single and double storey dwellings reflecting an eclectic mix of architectural styles. To acknowledge this mix, the front facades of all four dwellings reflect varying architectural features and design detailing.

The proposed development has a pitched roof form, variation to external walls, appropriate fenestration and appropriately set back single lock-up garages for all four dwellings.

The proposal allows space for multiple canopy trees in front of the proposed dwellings and their secluded open space areas, which will enhance the garden character.

Standard B1

It is submitted that the proposed design response is appropriate to the neighbourhood and the site, satisfying ResCode Standard B1.

The following are three VCAT cases that provide justification for appropriately designed double storey dwellings from a neighbourhood character point of view.

These decisions are often cited at other VCAT hearings when justifying other applications for two-storey building forms within areas dominated by single dwellings.

The most important aspect is that the proposed double storey dwellings have been designed to accord with all of the applicable planning scheme requirements that apply.

This is the case for this proposal on the subject site, whereby the following (often cited) decisions provide justification for the proposed double-storey form of all three of the proposed dwellings on the subject site:

1. Waylan Consulting v Moreland CC¹:

“Double storey dwellings are not two headed monsters. They are a normal housing type throughout the Melbourne metropolitan area. Under the present planning and building regulations there is no prohibition of double storey single dwellings in most of the metropolitan area unless heritage or design and development overlays affect them. In this case there are no overlays.”

2. Rendevski v Greater Geelong CC²:

Leaving aside the fact that this would not be the first two storey "intrusion" (either for a single home or multi-unit), the Tribunal would be reluctant to reject what is a perfectly normal and acceptable form of development right throughout our urban areas, except if the neighbourhood characteristics were so pristine and important so as to make a two storey proposal unacceptable.”

3. Jacobs v Banyule CC³:

I regard double storey dwellings as such, perfectly normal and acceptable scale of building throughout metropolitan Melbourne,.....they would surely qualify as “low scale”.

55.02-2 Residential policy objectives

It is submitted that the proposed development is in accordance with the relevant policies for housing contained under both the State Planning Policy Framework and the Local Planning Policy Framework, which has been outlined earlier in this report.

Standard B2

This written report describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy.

55.02-3 Dwelling diversity objective

This particular objective only applies to developments of ten or more dwellings.

¹ [2000] VCAT 1198

² [1999] VCAT 1886

³ [2008] VCAT 634

Standard B3

Not applicable to a four-dwelling development.

55.02-4 Infrastructure objectives

It is submitted that the subject land is appropriately serviced to ensure that the proposed development is provided with appropriate utility services and infrastructure.

Standard B4

The proposed development will be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

The proposed development will not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads within this well-established residential area.

55.02-5 Integration with the street objective

The proposed dwellings have been appropriately integrated with their respective street frontages.

Standard B5

The use of a corner site to accommodate more than two dwellings will provide better vehicle and pedestrian links to the respective dwellings in comparison to a multi-dwelling development on a mid-block.

55.03 SITE LAYOUT AND BUILDING MASSING**55.03-1 Street setback objective**

The proposal has been amended to within 150mm of numeric compliance with **Standard B6**. This 150mm dispensation request being sought for proposed Dwelling 1 will be unnoticeable from the public realm.

The variations to front setbacks found throughout Hogans Road and the Dwelling 1 separation from the eastern side boundary are also factors that justify the minor dispensation request being sought for Dwelling 1.

55.03-2 Building height objective

It is submitted that the design of the proposed double storey, four dwelling development is considered respectful in an area that includes both double and single storey dwellings.

The proposal easily satisfies that maximum building height of **Standard B7** by having an overall height that is substantially less than the maximum height of 9.0 metres.

As previously stated, two storey attached forms represent housing types that are highly suitable for corner blocks.

55.03-3 Site coverage objective

The proposal has been designed to ensure that the site coverage respects the preferred neighbourhood character and responds to the features of the site, by way of appropriate building setbacks and provision of appropriate open space areas throughout the site.

Standard B8

The proposal satisfies this Standard as site coverage is below the 60% maximum that is allowed pursuant to this Standard (54.7% site coverage being proposed).

55.03-4 Permeability objectives

The proposal has been designed to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration.

Standard B9

The proposal complies with the Standard as more than 20% of the site will not be covered by impervious surfaces (35.3% permeable).

55.03-5 Energy efficiency objectives

As previously stated in this report, the proposal will achieve efficient dwellings, which includes well-orientated windows, internal cross-ventilation, the provision of eaves, rainwater tanks, double-glazed windows and outdoor clothes drying.

Furthermore, it is submitted that **Standard B10** has been satisfied. Also, the proposed dwellings will each be required to achieve a 6-star energy-rating at the building stage.

55.03-6 Open space objective

The subject site does not have an abuttal to any public or communal open space, hence this particular ResCode objective and Standard B11 does not apply.

55.03-7 Safety objective

The proposed development has been designed to ensure the layout provides for the safety and security of residents and property.

The provision of two storey townhouses on a corner sites promotes safety as both street frontages will benefit from improved passive surveillance.

All dwellings avoid reversing cars out onto Hogans Road. Such provision is considered appropriate from a safety point of view and is considered to accord with the intent of **Standard B12**.

55.03-8 Landscaping objectives

Indicative landscaping details are shown on the layout plan. A permit condition can be imposed to ensure that a proper landscaping plan is prepared which ensures that the proposal respects the landscape character of the neighbourhood.

The indicative detailing outlined on the plans demonstrates that there is adequate space throughout the site to accommodate meaningful landscaping.

Standard B13

Permit conditions can be imposed by the responsible Authority to ensure compliance with Standard B13 having regard to landscaping provision.

55.03-9 Access objectives

It is submitted that vehicle access to and from this particular corner site is safe, manageable and convenient.

The fact that no front fence is proposed to the front of the proposed and neighbouring dwellings will maintain appropriate visibility for future occupiers exiting out of the subject site.

Standard B14

It is submitted that the proposal satisfies Standard B14 by the proposed accessways being designed to allow for convenient, safe and efficient vehicle movements (which avoid the need to reverse out onto Hogans Road).

The width of the proposed accessways at the Dowling Avenue side street is below the 33% recommended limit of street frontage that can be taken up by vehicle accessways to satisfy Standard B14.

55.03-10 Parking location objectives

The designer has ensured that the proposal provides for convenient parking for both resident and visitor vehicles, as well as helping to avoid parking and traffic difficulties in the development and the neighbourhood.

Standard B15

The proposal satisfies Standard B15 as the car parking facilities for each of the proposed development are close and conveniently located to the respective dwellings.

It is submitted that the car parking provision for the proposed dwelling and the existing dwelling fully accords with **Clause 52.06** of the Wyndham Planning Scheme.

55.04 AMENITY IMPACTS

55.04-1 Side and rear setbacks objective

The proposed development has been designed to ensure appropriate side setbacks are provided to the adjacent properties to the east and south of the subject site, satisfying the numerical requirements of **Standard B17**.

55.04-2 Walls on boundaries objective

The proposal does not conflict with any aspect of **Standard B18**. Proposed boundary walls fully accord with the numeric Standards.

55.04-3 Daylight to existing windows objective

The proposal has been appropriately designed to not conflict with the objectives of Clause 55.04-3, nor does the proposal conflict with the requirements of **Standard B19** as far as neighbouring properties are concerned.

55.04-4 North-facing windows objective

The proposal will not conflict with the requirements of **Standard B20** as far as neighbouring properties are concerned.

55.04-5 Overshadowing open space objective

This development will not conflict with the objectives of this Clause, nor does the proposal conflict with the requirements of **Standard B21**. Shadow diagrams provided with this application demonstrate full compliance.

55.04-6 Overlooking objective & 55.04-7 Internal views objective

The proposed first floor windows have been treated to ensure that full compliance with **Standards B22** and **B23** is achieved.

55.04-8 Noise impacts objectives

The proposed dwelling has been designed in such a way to contain noise sources within developments, so that there is no affect to surrounding, existing dwellings on adjacent lots.

Standard B24

In terms of Standard B24 relating to noise sources, provisions such as mechanical plant (external air-conditioning units, heaters, hot-water units, etc.), these can easily be addressed by appropriate permit conditions being imposed by the Responsible Authority.

55.05 ON-SITE AMENITY AND FACILITIES**55.05-1 Accessibility objective**

It is submitted that the proposal has been designed to be mindful of visitors with limited mobility to the proposed dwellings. The ground level sub-floor has been kept to a 'workable' minimum.

The specific requirement of **Standard B25** relates specifically to the dwelling entries of the ground floor of dwellings, which is considered to be accessible to people with limited mobility.

55.05-2 Dwelling entry objective

The proposal satisfies the dwelling entry objective as the front door of the proposed dwelling is well orientated toward the respective street frontages, which is attributed to the use of a corner allotment to accommodate a multi-dwelling development.

The proposal fully accords with **Standard B26**.

55.05-3 Daylight to new windows objective

The design of the proposed dwelling ensures adequate daylight into new habitable room windows and fully accords with **Standard B27**.

55.05-4 Private open space objective

The proposed development has been designed to provide adequate private open space for the reasonable recreation and service needs of all four proposed dwellings. In addition to a generous rear secluded open space, all four dwellings also include generous front yards.

Standard B28

The dimensions of the secluded open spaces for all four of the proposed dwellings being proposed as part of this application will exceed the minimum requirements outlined under Standard B28 which require each dwelling including private open space consisting of:

- *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.*

55.05-5 Solar access to open space objective

The proposed dwellings on the subject land both reflect an innovative layout ensuring that the secluded open spaces areas of all four proposed dwellings will receive appropriate levels of sunlight that fully accord with the numeric requirements of **Standard B29**.

55.06 DETAILED DESIGN

55.06-1 Design detail objective

It is submitted that the proposed development incorporates design detail resulting in high-quality contemporary design.

As previously stated, the proposal has been appropriately designed, reflecting design detail that is respectful of the existing neighbourhood character.

With regard to this particular four dwelling development, the designers have taken into consideration the immediate housing stock and have adhered to a number of key architectural elements.

These include pitched roofs and appropriately positioned and well set back, single garages that do not dominate the respective street frontages.

It is submitted that the designer of this proposal has come up with a design that reflects a high architectural standard, whilst also incorporating simple and design elements that are both consistent and compatible within the existing neighbourhood setting.

The physical separation through the centre of the site will minimise building bulk, as well as acknowledging the prevalent existing neighbourhood characteristic of detached dwellings.

Giving each of the four dwellings their own individual characteristics through variation of architectural features and design detailing, acknowledges the varying character and design detailing of existing nearby dwellings.

The proposal provides for a unique design that results in high quality contemporary architecture, which is encouraged under this section of ResCode.

This type of contemporary design response will ensure that the proposal reflects a development of its time.

The proposed dwellings will make a positive impact on the neighbourhood character of this area. It is submitted that **Standard B31** has been satisfied.

The positive design elements of the proposed dwelling include:

- *Proposed dwelling having a well-designed and highly articulated two-storey form.*
- *The 22.5-degree pitched roof form results in a built form that is consistent with most of the existing dwellings within the surrounding area.*
- *The proposal having appropriate window proportions that are consistent with the size and shape of existing windows of other nearby dwellings.*
- *The walls are well articulated and include variations to the colour scheme/finishes which accentuates the extent of wall articulation.*

Overall, Standard B31 encourages designs to be innovative and of a high architectural standard, which this particular development satisfies.

55.06-2 Front fences objective

Front fencing is limited to a small section of proposed Townhouse 1 at the Hogans Road frontage to enable an efficient use of this corner site.

However, the visual impact of this fence has been mitigated by its setback from the front property boundary and proposed dense planting in front.

The Townhouse 1 front fence is not considered out of character based on other nearby high fences in close proximity that have a frontage to Hogans Road.

As Hogans Road is designated as being within a Road Zone, the proposal complies with **Standard B32**.

The lack of front fencing to those dwellings fronting Dowling Road will not conflict with the preferred neighbourhood character of maintaining an 'open' front garden character at this particular street frontage.

55.06-3 Common property objectives

Common property has been avoided as part of this proposal.

This reflects another advantage of using a corner site to accommodate a multi-dwelling development.

55.06-4 Site services objectives

The proposed development has been designed in such a way to ensure that site services can be installed and easily maintained, as well as the site facilities being accessible, adequate and attractive.

Permit conditions can be imposed by the Responsible Authority to ensure that the specific requirements of **Standard B34** are satisfied.