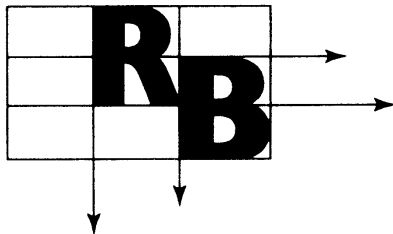


# **TOWN PLANNING SUBMISSION** **(REVISED)**

**MEDIUM DENSITY HOUSING DEVELOPMENT  
- THREE DOUBLE STOREY DWELLINGS**

**NO. 56 BAGGOTT DRIVE, HOPPERS CROSSING**



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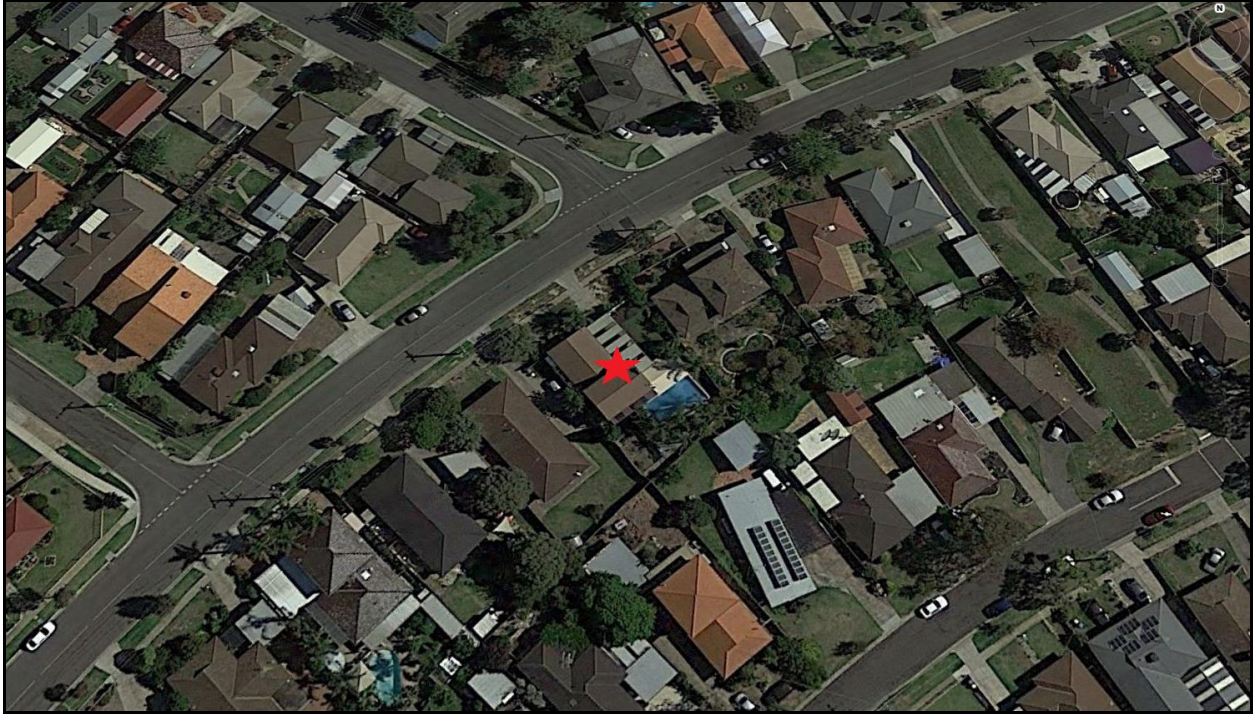
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## 1. SITE CONTEXT / NEIGHBOURHOOD CHARACTER

The subject site is located on the south side of Baggott Drive. Baggott Drive is a local street in that part of Hoppers Crossing located to the north of Heaths Road and between Morris Road and Derrimut Road. Baggott Drive runs between Derrimut Road and Mossfiel Drive.



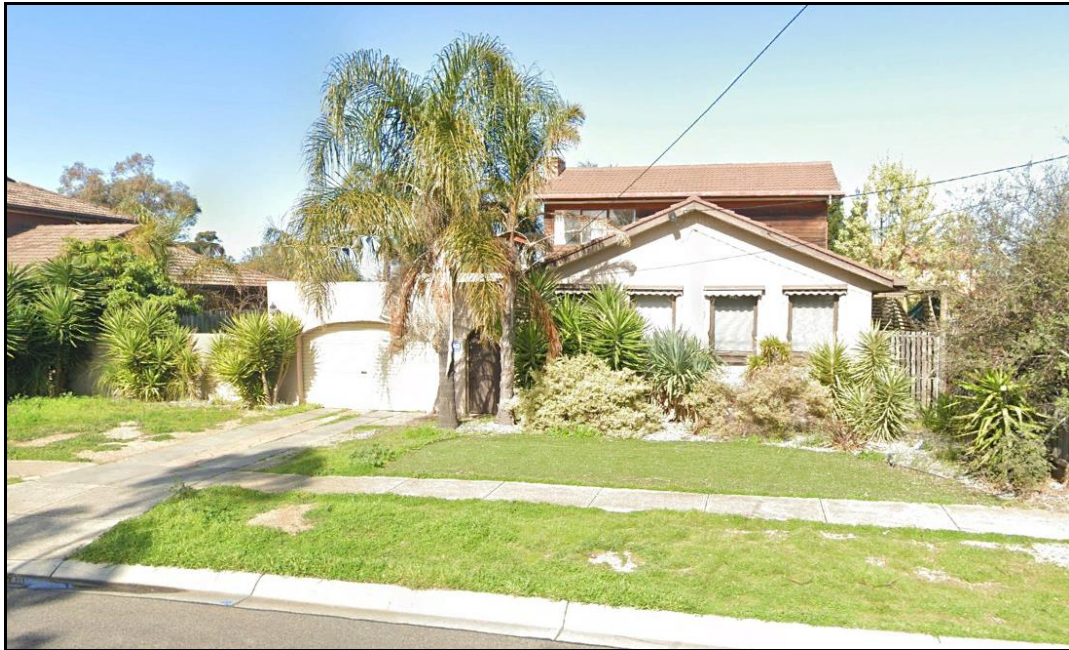
**Subject site – 30 Baggott Drive**

The site has a frontage that is an arc of 21.07 metres a maximum depth from Baggott Drive of 34.26 metres (west side boundary), a rear boundary of 18.84 metres and an area of 663 square metres. There is an easement along the rear boundary and the site is essentially flat there being no significant difference between any parts of the subject site and adjoining properties to either side or the rear. There is a footpath along both sides of Baggott Drive. There is a small recently planted street tree in the nature strip to the east of the driveway to the site.



**View west along Baggott Drive to subject site**

Located on the site at frontage with a 6.5-metre setback is a double-storey brick and timber dwelling that dates from the early 1970s. This dwelling has four bedrooms and its first-floor section appears to be the result of a later addition. The front entry area of the dwelling faces onto Baggott Drive.



**View of subject site/existing dwelling – 56 Baggott Drive**



**View of subject site/existing dwelling and showing street tree**

This dwelling is located more to the west side boundary of the subject site and even though the dwelling has a carport to its east side it is located some considerable distance from most of the east side boundary. This arrangement means that the existing crossing onto Baggott drive does not sit immediately adjacent to the east side boundary.

The backyard / private open space area of the existing dwelling is located between the dwelling and the rear boundary and there is a swimming pool in this backyard area. There are a number of palm trees planted around the swimming pool. These palm trees are considered generally

uncharacteristic of the sort of suburban garden landscaping that can be found on most residential properties in the area.



**View of backyard area of existing dwelling and showing swimming pool**



**View of backyard area of existing dwelling showing swimming pool and adjoining dwelling at No. 58 Baggott Drive**

To the east of the site at 58 Baggott Drive is another double-storey brick dwelling that also appears to date from the 1970s. This dwelling is located such that it sits adjacent to the side boundary of the site but there are no windows in this part of the dwelling facing towards the subject site. As can be seen from the photo above the two storey component of this adjoining dwelling is quite visible from the backyard area of the subject site.



**Adjoining dwelling to the east of site at 58 Baggott Drive**



**View of interface between subject site and dwelling at 58 Baggott Drive**

To the west of the site of the site at 54 Baggott Drive are two older style single-storey villa units. These units are located in one building and serviced by a side driveway which separates these two dwellings from the west side boundary of the subject site.

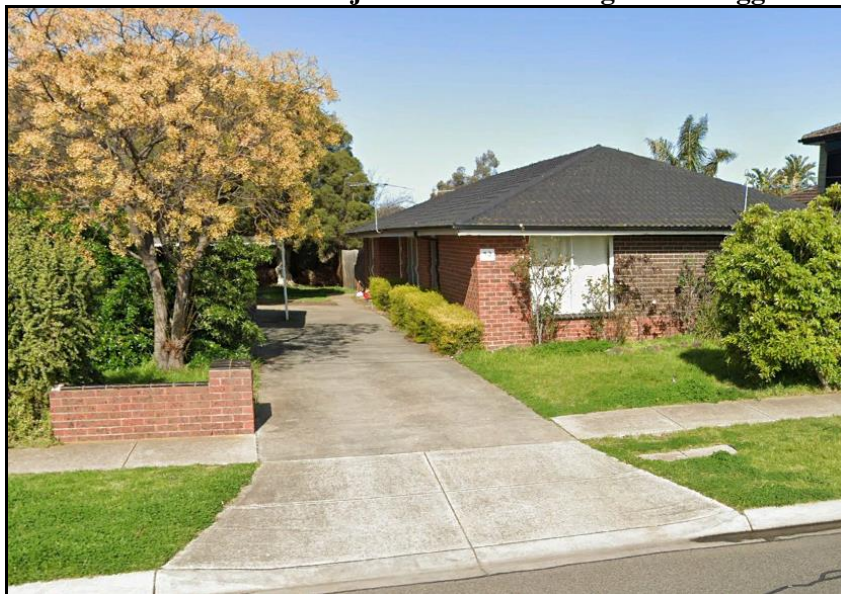
There is a similar villa unit development further to the west at 52 Baggott Drive. Further to the west again at 50 Baggott Drive is a two-storey dwelling.



**View of adjoining villa unit dwellings to west of site – 54 Baggott Drive**



**View of interface between subject site and dwellings at 54 Baggott Drive**



**View of nearby villa unit dwellings to west of site – 52 Baggott Drive**

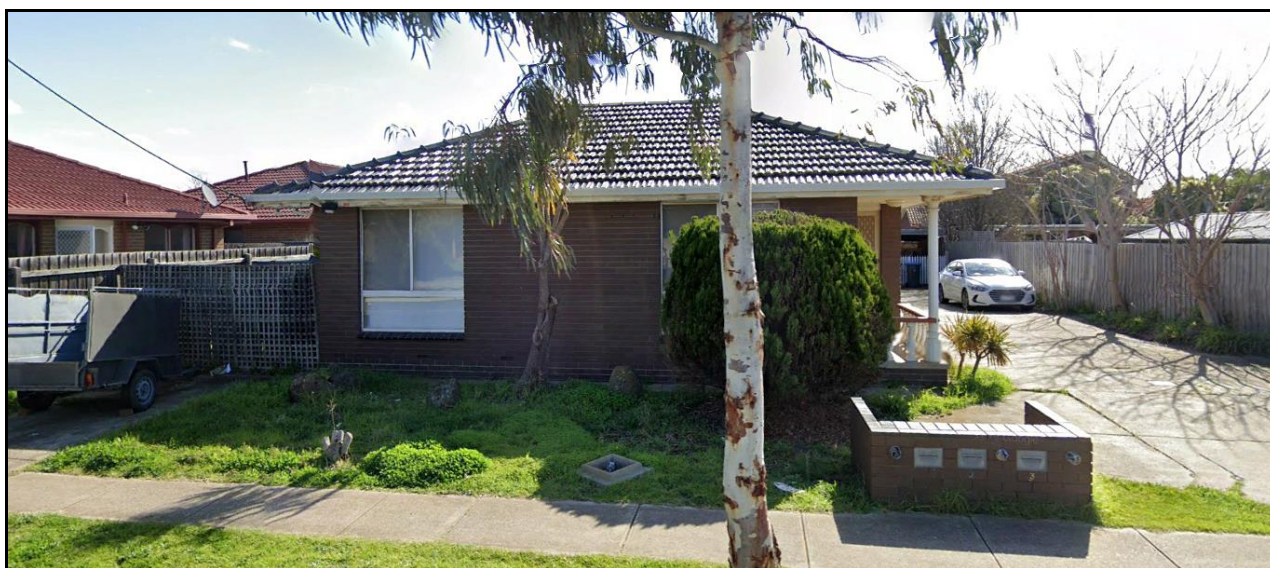


**View of nearby two-storey dwelling to west of site – 50 Baggott Drive**

To the rear of the site at 22 Clay Avenue is a single-storey detached dwelling. This dwelling is almost 9 metres from the rear boundary of the subject site. Adjacent to this dwelling at 24 Clay Avenue is a double storey dwelling. The two-storey section of this dwelling is visible from the rear of the subject site – see photo on top of page 4

There are numerous single and double storey suburban style dwellings opposite and near the site in Baggott Drive.

While the majority of existing dwellings in the immediate area are single storey suburban style single detached dwellings typical of the late 1960s or early 1970s it is noted that in Baggott Drive, in addition to the villa unit developments at 52 and 54 Baggott Drive there is also other medium density housing development interspersed amongst these detached dwellings. On the other side of Baggott Drive near the site at Nos. at 33 and 35 there are a couple of three dwelling villa unit developments.



**View of nearby three dwelling villa unit development to west of site – 35 Baggott Drive**

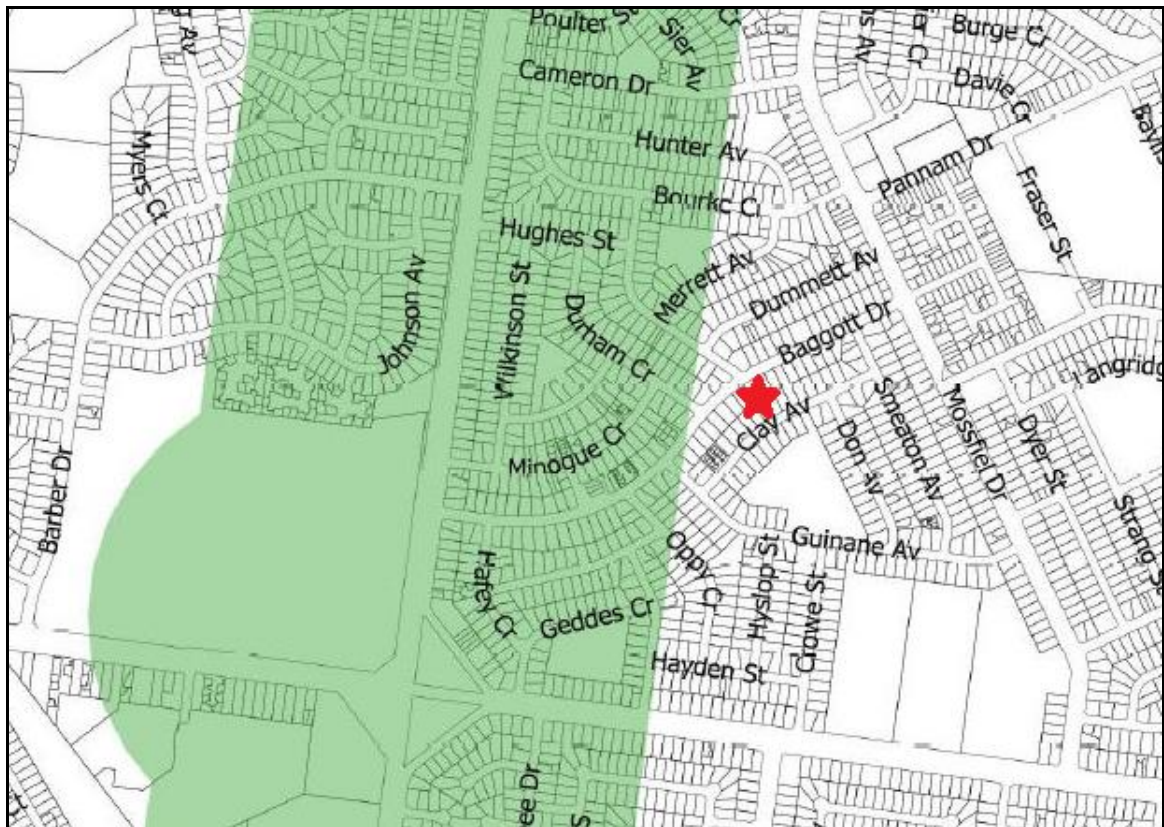
Further west again at 23-25 Baggott Drive is an older style villa unit development of eight single-storey dwellings and adjacent to this development at 21 Baggott Drive is a single-storey duplex development.



**Eight dwelling villa unit development located west of subject site at 23-25 Baggott Drive**

Generally, because of the age of residential development in the immediate area and the fact that there are few, if any, vacant allotments in this older established part of Hoppers Crossing, medium density dwellings appear to be in limited supply as a percentage of the housing market.

As the site is located in an older established residential area it is advantaged by its proximity to the schools, extensive areas of reserve and recreational facilities. The Werribee Plaza shopping centre is within reasonable walking distance and there is a small local shopping centre close nearby at the corner of Baggott Drive and Sharp Street. There are bus routes in nearby Derrimut Road and Mossfield Drive that provide a connection to the Werribee town centre and railway station and the Hoppers Crossing railway station. It is noted that the subject site is located just outside the Principal Public Transport Network Area.



**Principal Public Transport Network Area showing 30 Baggott Drive**

## **2. DESIGN RESPONSE**

The subject site is seen as being well suited to further development because of its size and dimensions and the nature of nearby residential development.

As the site is generally similar in size to most of the other allotments in the area that have been developed or redeveloped for an additional dwelling or new medium density dwellings it lends itself to development with new dwellings. There are three dwelling developments on similar sized allotments in Baggott Drive.

The Council Planner dealing with application has however considered the original submitted proposal for two double storey dwellings at the front of the site and a single storey dwelling to the rear as not being adequately respectful of neighbourhood character in the area. The Council planner advised:

*The proposed development does not respect the existing and preferred neighborhood character particularly as it relates to the building mass and rhythm. The extent of built form proposed would be too dominant and the design response would not complement the streetscape character.*

By way of a request for further information the following changes were suggested as being required:

- 1. Provide at least 1m setback to one side boundary in accordance with the draft General Residential Zone Schedule 3.*
- 2. Provide separation between dwelling 1 and 2.*
- 3. Provide a streetscape elevation plan to demonstrate how the development would integrate with the existing streetscape.*
- 4. The proposed street setback is not respectful of the neighbourhood character. The proposal should be amended to show an average distance of existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. Street setback of abutting dwelling to the east to be taken from the front wall instead of the brick fence.*
- 5. Details of how the proposal will achieve the objective and standards of Clause 55.03-5, particularly dwelling 3.*
- 6. Entrance to dwelling 3 is obscured from the street and internal accessways. Also dwelling 3 is not designed to provide good lighting, visibility and surveillance of the car parks and internal accessways. This is not consistent with the requirement of Clause 55.05-7. The proposal should be amended to provide for the safety and security of residents and property.*
- 7. The proposed walls on the western boundary does not meet the objectives and standards of Clause 55.04-2. The walls on the boundary must be reduced.*
- 8. The area of the secluded private open space for dwelling 3 is less than 25 square metres. The area must be increased to a minimum of 25sqm.*
- 9. The proposed secluded private open space does not meet the solar access to open space setback requirements of Standard B29 which required that 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. This would require a minimum setback of 4.8m from the wall at the ground level and 6.8m from the wall at the first-floor level based on the current design. The elevation plans should be amended to show the overall wall height and setback should be provided accordingly in accordance with this standard.*

10. *The design detail and scale of the development does not respond favourably to the context of the surrounding development. The following changes are suggested:*
  - a. *Dwellings 1 and 2 must be separated both at the ground and first floor level.*
  - b. *Dwelling 1 and 2 must be provided with a sense of identity. The use of a porch is suggested.*
  - c. *The garages of dwelling 1 and 2 should be setback behind the front wall of the dwellings.*
  - d. *The first-floor level should be setback behind the ground floor level.*
11. *Details of all existing and proposed boundary fences (including internal fences between the private open spaces) including height and construction materials*
12. *The accessway for Dwelling 2 and 3 must be designed so that cars can exit the site in a forward direction as the access is proposed to serve four car spaces in accordance with the requirement of Clause 52.06-9 (Design standards for car parking)*
13. *Provide visibility splay and dimensions of the garages and car spaces in accordance with the requirement of Clause 52.06-9 (Design standards for car parking).*

In establishing a design and layout for a new dwelling on the land, the following factors, in addition to the suggested changes above, have still been influential:

- The shape of the site, its orientation and its location on the south side of Baggott Drive.
- The width of the site from east to west and the significant length of frontage to Baggott Drive.
- The depth of the site and its current presentation to Baggott Drive which is that of a two-storey dwelling.
- The location of an easement along the rear boundary.
- The location of the existing vehicle crossing onto Baggott Drive
- The two-storey nature of the adjoining dwelling at 58 Baggott Drive and the presence of other two-storey dwellings in Baggott Drive and also on other properties such as to the rear in Clay Avenue and which can be seen from the rear of the subject site.
- The frontage setback of the adjoining dwellings in Baggott Drive.
- The absence of any windows in the dwelling at 58 Baggott Drive facing the subject site.
- The separation to the adjoining two-unit development at 54 Baggott Drive provided by the side driveway of this development. No part of the site of this development that adjoins the subject site can be considered as private open space associated with either of the two units.
- The size and location of the private open space of the adjoining dwelling at 58 Baggott Drive.
- The absence of any significant vegetation on the site - the palm trees being uncharacteristic of garden vegetation in the area.
- The need to provide vehicle access, car accommodation and open space for any new dwellings.

It is now proposed to develop the site with three double-storey dwellings; two partly attached dwellings at the front of the site and another separate storey dwelling at the rear of the site.

There are somewhat similar, although older, developments in the street and the wider area and certainly the presence of these developments combined with a desire to create three-bedroom units with generous living areas has resulted in three double storey dwellings now being proposed for this site.

The two dwellings at the frontage of the site now have a mirror reversed duplex layout with their garages located in the middle of the built form and served by one double crossover. These dwellings are attached at ground floor level, principally by their garages, but their upper floors are separated. The new parking arrangements and council's comments on the submitted layout also sees these dwellings setback 1 metre from the west side boundary of the site.

The street frontage setback is easily comparable with that of the adjoining dwellings and is considered appropriate given the location of the driveway of the units at 54 Baggott Drive and the large feature brick wall at the front of the dwelling at 58 Baggott Drive.

At ground floor level both the front dwellings provide, in addition to the garages, an entry area and a large open plan kitchen / meals / lounge room. The meals area section of this ground floor sits adjacent to an area of private open space for each dwelling which provides substantial separation for the front dwellings from the rear dwelling. At first-floor level each dwelling provides three bedrooms and bathrooms with a master bedroom facing the street.

It is still proposed that access to the rear dwelling be via a crossover in driveway along the east side of the site. The site is considered easily wide enough to support two driveways and the absence of any windows in the dwelling at 58 Baggott Drive facing the site helps in this regard.

The proposed rear dwelling is now double storey dwelling is located partly across the rear of the site but has a smaller footprint than the original single storey dwelling. It is setback over 3 metres from the west side boundary and no longer has any section of any dwelling wall on a boundary. Its garage is still at the end of the driveway and this garage has short sections of wall on the east and rear boundary.

The easement that affects the rear of the site necessitates a setback from the rear boundary and part of this setback supplements the private open space provision for the rear dwelling. The large main part of this private open space area is located between the rear dwelling and the west side boundary.

The rear dwelling comprises one bedroom and living areas at ground floor level and two bedrooms and a bathroom at first floor level.

Having regard to the plan changes suggested by Council's planner the following comments are provided:

- Front dwellings are setback 1 metre from west side boundary in accordance with the draft General Residential Zone Schedule 3.
- Separation provided between upper floor levels of front dwellings.
- The proposed street setback is seen as being respectful of neighbourhood character. The setback of the front dwellings is in fact an average of the setbacks of the two adjoining buildings noting that the garage of No. 58 which forms a substantial part of the street

elevation of this dwelling has a setback of 5.5 metres. The width of Baggott Drive is also a factor which should be considered.

- Details of how the revised proposal will achieve the objective and standards of Clause 55.03-5, are included in the Clause 55 assessment.
- Entrance to rear dwelling is now more visible from down the side driveway because of a splay at the corner of the private open space for the east side front unit and a window to the master bedroom provides visibility of the driveway and entry area.
- The walls previously proposed on the western boundary have been removed.
- The area of the secluded private open space for rear dwelling has been increased.
- The proposed secluded private open space areas do not meet the solar access to open space setback requirements of Standard B29 because of the skewed orientation of the site.
- The design detail and scale of the development is considered to respond favourably to the context of the surrounding development having regard to the proximity and presence of two-storey built form adjoining and near the site.
  - The front dwellings are separated at first floor level. Separation at ground floor level is considered unnecessary having regard to the built form of the existing dwelling and the bulk and scale of the dwelling at No. 58. Separation of the dwellings at ground floor level would simply create an area of dead space and would not facilitate the efficient development of the site.
  - The front dwellings are now provided with greater sense of identity because of location of their garages and the provision of a more substantial front porch.
  - The garages of the front dwellings are slightly setback behind the front wall of the dwellings.
  - The first-floor level presents as being setback behind the ground floor level because of the provision of a larger porch.
- Visibility splays for driveways shown.

### 3. POLICY FRAMEWORK

The site and other residential land in the area are zoned General Residential (GRZ1) under the Wyndham Planning Scheme and there are no overlays that apply to the subject land.



**Zoning Map**

The relevant part of the purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

A dwelling is a Section 1 use in the General Residential Zone but Clause 32.08-4 specifies that a permit is required to construct two or more dwellings on a lot and this clause also requires that a development must meet the requirements of Clause 55.

Clause 32.08-4 specifies a minimum garden area requirement at ground level for the construction or extension of a dwelling or residential building on a lot. In the case of the subject site the garden area must be 35% of the lot area. This development would have garden areas comprising 35.06% of the site.

There is a Schedule 1 to the General Residential (GRZ1) Zone for the Wyndham Residential Areas, but this schedule varies none of the standards of Clause 55.

### **Planning Policy Framework**

Policies and strategies relevant to this proposal can be found in Clauses 11, 11.06, 15 and 16 in the State Planning Policy Framework.

Clause 11 says planning is to recognise the need for, and as far as practicable contribute towards among other things:

- Diversity of choice.
- A high standard of urban design and amenity.
- Energy efficiency.

Furthermore, 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.

Clause 11.06 deals with Metropolitan Melbourne and Clause 11.06-2 deals with Housing Choice and has the objective:

- To provide housing choice close to jobs and services.

Strategies include:

- Manage the supply of new housing in locations that will meet population growth and create a sustainable city.
- Facilitate increased housing in the established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.
- Support housing growth and diversity in defined housing change areas and redevelopment sites.
- Direct new housing to areas with appropriate infrastructure.

- Allow for a spectrum of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.
- Provide certainty about the scale of growth in the suburbs by prescribing appropriate height and site coverage provisions for different areas.

Clause 15 – Built Environment and Heritage starts by saying:

*Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.*

*Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.*

It also says that planning should, among other things, achieve high quality urban design and architecture that contributes positively to local urban character and sense of place and which minimises detrimental impact on neighbouring properties.

Clause 15.01-1 – Urban design has the objective of creating urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Strategies include:

- Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
- Require development to include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context.
- Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.

The proposed development is appropriate having regard to these strategies; it is essentially a minor infill development that creates smaller three bedroom dwelling suited to a variety of households on a reasonably large allotment that is located within a now wholly developed urban residential area that has a range of services and facilities available for residents.

Clause 15.01-1 – Urban Design Principles – has the objective of achieving architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Clause 15.01-5 - Cultural identity and neighbourhood character – has the objective of recognising and protecting cultural identity, neighbourhood character and sense of place.

Strategies include:

- Ensuring development responds and contributes to existing sense of place and cultural identity.
- Ensuring development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.

- Ensuring development responds to its context and reinforces special characteristics of local environment and place

Clause 16 – Housing – starts by stating that planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. Furthermore, new housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. It is noted the site is within easy walking distance of schools, shopping facilities (local and regional) and bus services that provide access to railway stations.

Clause 16.01-1 – Integrated housing – has the objective of promoting a housing market that meets community needs.

Strategies include:

- Increasing the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
- Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Ensuring housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.

This proposal is considered appropriate in that it provides family type dwellings and develops a reasonably large allotment which has the potential for development with more than one dwelling.

Clause 16.01-2 – Location of residential development – has the objective of locating new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport. It is noted that the site is reasonably close to schools and recreational facilities and open space and is just outside the Principal Public Transport Network Area. There are bus services in nearby Derrimut Road and Mossfiel Drive.

Strategies include:

- Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
- Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.
- Identify opportunities for increased residential densities to help consolidate urban areas.

Clause 16.01-4 – Housing diversity – has the objective of providing for a range of housing types to meet increasingly diverse needs.

Strategies include:

- Ensuring housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
- Encourage the development of well-designed medium-density housing which:
  - Respects the neighbourhood character.
  - Improves housing choice.
  - Makes better use of existing infrastructure.
  - Improves energy efficiency of housing.
- Support opportunities for a wide range of income groups to choose housing in well-serviced locations.

The various strategies thus seek to:

- Confine outward metropolitan growth
- Locate a proportion of new housing in or close to activity centres
- Increase the proportion of housing to be developed within the established urban area
- Encourage higher density housing development on sites that are well located in relation to activity centres and public transport
- Increase housing choice particularly in the middle and outer suburbs
- Ensure new development appropriately responds to its landscape, valued built form and neighbourhood character cultural context
- Encourage the development of well-designed medium density housing to improve housing choice, make better use of existing infrastructure and improve energy efficiency.

Overall, it is submitted that this three dwelling medium density housing development is consistent with State planning policy because it:

- Assists with urban consolidation.
- Adds to housing choice and diversity by providing three-bedroom dwellings suited to smaller households on a reasonably large site in an established residential area that largely comprises single detached dwellings.
- Makes efficient use of a reasonably large and well-located parcel of residential land in a now well-established residential area with good access to services and facilities.
- The site is well located in relation to schools, numerous recreational facilities and activity centres.
- Adequately respects the established suburban neighbourhood character of the area with a layout and built form that is clearly consistent with newer suburban residential development nearby including some medium density development.
- Constitutes a suitable response to the residential aspect of neighbourhood character that includes considerable two-storey built form
- Minimise impacts on local residential amenity.

## **Plan Melbourne 2017-2050**

Planning must consider as relevant or as required the document *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land Water and Planning, 2017). This document is referenced in the Wyndham Planning Scheme at Clause 11.01-1S – Settlement.

The strategy continues the focus on housing choice and affordability and one of its key directions is to plan for expected future housing needs as Melbourne will need to build another 1.6 million homes into the future as its population is projected to grow from 4.8 million to almost 8 million.

Policy initiatives for housing include:

- Maintaining a permanent urban growth boundary around Melbourne to create a more consolidated sustainable city.
- Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.
- Plan for and define expected housing needs across Melbourne's regions.
- Provide certainty about the scale of growth in the suburbs.
- Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne.
- Support new housing in activity centres and other places that offer good access to jobs, services and public transport.
- Facilitate housing that offers choice and meets changing household needs

The subject site is a site that is close to some public transport (bus services) and a range of other urban amenities and facilities.

As the proposal for new dwellings on the land clearly constitutes consolidation of development within an existing urban area it is in accordance with State Planning Policy. Overall, the proposal is in accordance with the objectives of State Planning Policy which are to encourage well-designed medium density housing and which in turn improves housing choice and makes better use of infrastructure.

## **PLANNING POLICY FRAMEWORK - Municipal Strategic Statement**

Proposals such as this that improve housing choice are important because the overall population of the municipality will continue to grow and the Municipal Profile in the MSS notes the demand for new and additional housing:

*Wyndham is one of metropolitan Melbourne's designated growth corridors. The City comprises the suburbs of Werribee, Hoppers Crossing, Point Cook, Laverton, Williams Landing, Truganina, Tarneit and Wyndham Vale, all of which are within the Urban Growth Boundary. Werribee South, Cocoroc, Little River, Mambourin, Quandong, Eynesbury and Mount Cottrell are outside the growth area.*

*Wyndham was the fastest growing area in the country in 2012 with the population forecast to grow by another 155,000 people by 2031. The Australian Bureau of Statistics indicated that the City had a population of about 166,000 residents in 2012 and it is estimated that by 2040, the city could host 425,000 people in 151,000 dwellings.*

*Characteristics of the Wyndham community 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; and growing levels of unaffordable housing.*  
(Clause 21.01-1)

Under the heading Housing it is noted that levels of growth will make housing diversity a key planning issue:

*The rapid growth of the City requires more attention to housing diversity, as well as housing density, to ensure that housing is sustainable and reflects community needs.*  
(Clause 21.01-3)

Clause 21.07 deals specifically with Housing and in looking at Residential Development it says:

*The rapid growth of Wyndham requires that more attention be paid to housing diversity and housing density so as to ensure that housing reflects overall community needs.*

*In addition to the expected population growth in the greenfield areas, the 2011 population of Werribee is projected to increase from about 39, 000 residents to over 60,000 people by the year 2031 supporting an additional 8,500 dwellings. The 2011 population of Hoppers Crossing is projected to decrease from about 38,600 residents to 37,300 people by the year 2031 supporting an additional 570 dwellings....*

*..... New growth areas present great opportunities to provide higher density, more diverse housing around new activity centres, especially transit based centres.*

(Clause 21.07-1)

Key issues are seen as:

- Accommodating a projected population of about 425,000 people by 2040.
- Addressing the cost of developing medium density housing which is more expensive than constructing a detached house of a comparable size.
- Identifying the Werribee City Centre as a key commercial centre for Melbourne's west, and a location for high density residential development.

Objectives and strategies include:

#### Objective

- To provide variety and choice in housing densities.

#### Strategies

- Identify preferred areas for increased residential densities.
- Identify preferred areas for incremental and limited change.

- Encourage higher density development to occur in well serviced and established areas such as Werribee City Centre and Hoppers Crossing.

Housing diversity is also addressed:

*The 2011 census revealed that overall; Wyndham comprised a total of nearly 60,000 dwellings. Key characteristics of local housing include a dominance of separate dwellings, a small proportion of renters and growing levels of unaffordable housing. As housing estates rapidly develop across Wyndham, access to affordable housing is becoming an increasing concern, with mortgage payments and home rental payments rapidly increasing as a proportion of income.*

*Wyndham is presently dominated by large houses of four bedrooms and more with less than 5% of new dwellings having two or less bedrooms. With a declining average number of persons per household, a preference for smaller dwellings and a projected increase in lone person households and elderly residents, there is a mismatch between household sizes and a lack of availability of smaller dwellings....*

*..... Greenfield areas are dominated by small lot sizes with many having single dwelling covenants which can restrict future land use flexibility. There is potential to define priority areas for development for multi-unit housing based on development capacity and neighbourhood character.*

(Clause 21.07-2)

The key issues associated with housing diversity are seen as:

- Declining household size and ageing population are creating a demand for a greater diversity of housing throughout the City.
- Increasing the supply of one to three-bedroom dwellings.

Objectives and strategies include:

#### Objective

- To provide a diversity of choice in housing styles and designs.

#### Strategies

- Encourage housing that meets a diversity of community needs incorporating a ‘universal’ dwelling design.
- Support housing and accommodation for the ageing population.
- Ensure that smaller household units are developed particularly near rail stations, activity centres or employment areas.

Council has recognised this need for diversity and in numerous more recently developed residential areas it has encouraged and approved alternative forms of housing. Such housing is also appropriate in established areas if it is in keeping with neighbourhood character.

Neighbourhood character is also addressed at Clause 21.07-3 as the *Wyndham Neighbourhood Character Scoping Study 2012* has assessed the character of established residential areas and has identified five broad neighbourhood character types in the established residential areas.

This part of Hoppers Crossing is in a Garden Court area and these areas are seen as comprising street patterns of winding roads and cul de sacs, with a range of dwellings set in garden surrounds and where in some areas, an established tree canopy as well as wide grass verges at the street edge, creates a strong landscape character. It is submitted that the immediate neighbourhood of the subject site along Baggott Drive does not exhibit a particularly strong landscape character.

The key issues associated with neighbourhood character at Clause 21.07-3 are seen as:

- Identifying and protecting areas within the municipality with significant neighbourhood character values.
- Considering neighbourhood character issues in the assessment of infill housing development proposals within existing residential areas.
- Balancing the tension in policy between urban consolidation objectives and the desire to respect residential amenity and neighbourhood character.
- Ensuring that the type, scale and design of development and the impacts on existing amenity are addressed.
- Minimising the loss of backyard areas and established vegetation.

Objectives and strategies for neighbourhood character include:

#### Objective

- To recognise places of distinct neighbourhood character.

#### Strategies include:

- Maintain the garden settings of buildings and the tree canopy of neighbourhoods.
- Accommodate landscaping within smaller garden settings.
- Maintain the rhythm of spacing between buildings.
- Provide space for front gardens and planting around buildings.
- Minimise the loss of front garden space and the dominance of car parking structures.
- Avoid new buildings or extensions dominating the streetscape.
- Encourage innovative and contemporary architectural responses that make a positive contribution to the streetscape character.
- Ensure that the pattern of frontage treatment within the area is respected.

The following comments are provided in relation to these strategies:

- There are no large canopy type trees on the site but the provision of a front garden area along most of the Baggott Drive frontage will ensure that the garden setting of dwellings in the immediate area is maintained.
- New landscaping can also be accommodated within the private open space area of the new dwellings and along the side driveway.
- The location of the new dwelling in relation to the side boundary of the site maintains the rhythm and spacing of dwellings along Baggott Drive. The front dwellings are setback from the east side boundary. This factor and the single storey form of the rear dwelling further ensure that the new dwellings will not dominate the streetscape.
- The front dwellings incorporate only a single garage in their street elevation and so this aspect of the development will not dominate the streetscape.

## **PLANNING POLICY FRAMEWORK – Local Planning Policy**

There is a local policy relating to Neighbourhood Character at Clause 22.04 and it applies to “all planning permit applications where a permit is required for development in a residential zone under the Wyndham Planning Scheme.”

The basis of the policy is again the *Wyndham Neighbourhood Character Scoping Study 2012* and the five broad neighbourhood character types identified for the established residential areas of the municipality. Again it is noted this part of Hoppers Crossing is in a Garden Court area.



**Extract from Map 7 - Clause 22.04 – Neighbourhood Character Areas**

It is policy to assess proposals for residential development in the Garden Court area that require planning permission against the following criteria:

- Protection of existing tree canopy where well established.
- Provision for new canopy trees where lacking.
- Pattern of dwelling spacing of 1 to 2m from side boundaries.
- Low front fencing or open frontage with no fencing.
- Interface with open spaces and creek or river corridors.

The revised neighbourhood character policy would introduce the following additional criteria to the Garden Court area:

- Generous rear setbacks

These criteria are seen as satisfied because:

- The subject site and the immediate area exhibit some aspects of the established garden court character that includes some tree planting although there are no large trees on the site and none of the existing trees nearby could be considered as large canopy trees. The palm trees on the subject site are considered more ornamental than general garden landscaping. The layout provides the opportunity for new planting and the provision of a suitable front garden area in keeping with most dwellings along Baggott Drive.
- The layout of this proposal would allow for the suitable trees in the private open space area of the new dwellings.

- There are sections of dwelling and/or garage wall on boundaries but the layout of the proposal generally maintains the existing pattern of dwelling spacings with respect to side setbacks along Baggott Drive.
- The site presently has no front fence and no new front fence is proposed.
- The site is near, but has no direct abuttal with any of the open space/reserve areas nearby.

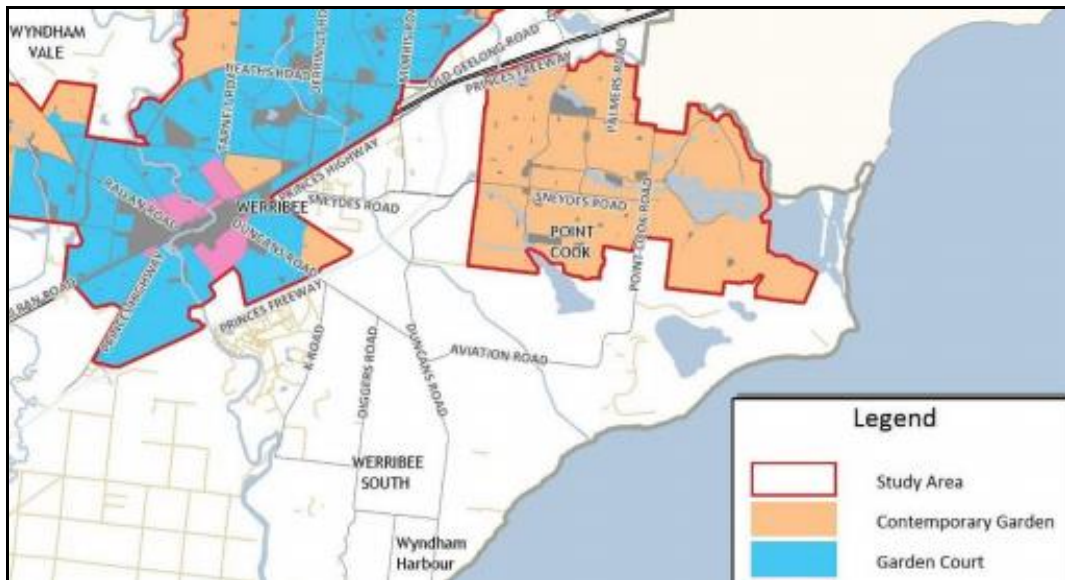
The proposal raises no significant neighbourhood character issues because the principal presentation of the new built form on the site is to Baggott Drive and new double-storey built form at this frontage will be in keeping with neighbourhood character. The introduction of a new dwelling to the rear part of the site is seen as having limited implications for neighbourhood character because of the proximity of two-storey built form that can be seen from the backyard area and the presence of existing medium density development.

The Garden Court 1 (GC1) neighbourhood character for this area is addressed in a little more detail in the preferred neighbourhood character statement in the Housing and Neighbourhood Character Strategy:

*The informal street spaces within the Garden Court area, which are characterised by a curvilinear street pattern, will continue to be complemented by informal landscaped spaces. The majority of Werribee and Hoppers Crossing demonstrate the Garden Court 1 character. This includes a mix of post-war to contemporary dwelling styles that have consistent spacing with at least one side setback and generous front setbacks. The spaciousness of these areas is reinforced by the low or non-existent front fencing and views of the surrounding tree canopy, river settings, gardens and parks. While many areas include consistently single storey dwellings, there are also equally many areas that have a mix of 1 and 2 storeys.*

*The spacious character will be retained as moderate growth is experienced through the retention and planting of new vegetation and canopy trees. Dwellings will continue to be setback from at least one side boundary and views of large canopy trees above the roof lines will be encouraged and maintained. Side and rear setbacks typical of the GC1 area will continue to provide building separation and allow for landscaping, including canopy trees.*

As well the adopted Housing and Neighbourhood Character Strategy it is understood that there are likely to be planning scheme amendments that would see the introduction of a revised Neighbourhood Character Policy and proposed new Schedule 3 to the General Residential Zones in this locality. Under the revised Neighbourhood Character Policy, the subject site would still be within a Garden Court area.



**Extract from Map 8 – Revised Clause 22.04 – Neighbourhood Character Areas**

The proposed Schedule 3 to the General Residential Zones would have the following neighbourhood character objectives:

- Ensure that development sits within spacious gardens
- Ensure front and private open space areas allow for the planting of trees
- Ensure a side setback to at least one property boundary

It is submitted that these objectives are satisfied because of the extent of garden areas which allows for tree planting and because the setback of the proposed front dwellings from the east side and west side boundary is in keeping with existing dwellings along Baggott Drive and in the locality generally. The rear dwelling is also now set back off the west side boundary.

Schedule 3 would also amend the requirement for private open space in Clause 55 (Standard B28):

*An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the rear or side of dwelling or residential building, with a minimum dimension of 4 metres with convenient access from a living room.*

*Secluded open space should not be located in the front setback of a dwelling or residential building.*

The proposed development satisfies this revised standard with respect to the dimensions and area provided and because the open space areas provided are quite generous and accessible from a living room. The rear dwelling now has almost 80 m<sup>2</sup> of private open space. All

It is also a requirement of the proposed schedule that an application be accompanied by a report which identifies how the development responds to the Character Type within which the site is located.

It is submitted that the local planning policy assessment that forms part of this submission satisfies this requirement.

The proposed development provides compact three-bedroom dwellings suited to a variety of smaller households and which will add to the level of housing diversity in this area of Hoppers Crossing. Planning policy requires that new development respect neighbourhood character but the implementation of such policy must be considered against other strategic policy which seeks to provide increased levels of housing density in established areas with good access to a range of urban facilities.

## **CLAUSE 55 ASSESSMENT**

### **1 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE**

#### **Neighbourhood character objectives**

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and surrounding area.

**Comment:** The character of the nearby residential neighbourhood is marked by the presence of many late 1960s and 1970s era suburban dwellings. Although there are a few recent duplexes and older villa unit medium density developments the area still largely exhibits characteristic that are typical of this established part of Hoppers Crossing with reasonably well-established suburban scale gardens and most with side driveways to car parking accommodation at the side or rear of dwellings. Most older original dwellings in the vicinity are single storey but two storey dwellings are not uncommon. The proposal utilises the size and shape of the site and particularly its wide frontage to Baggott Drive. It is in keeping with neighbourhood character because it involves a contemporary suburban style dwellings that do not present as bulky or dominant, has a suitable front garden setback to Baggott Drive and has a style that will sit comfortably with the existing adjoining and nearby dwellings.

#### **Standard B1**

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

**Comment:** As the proposal involves contemporary suburban dwellings that will present to the street with an appropriate level of articulation it will be in keeping with neighbourhood character. Because of the width of the Baggott Drive frontage and the fact that this frontage is presently landscaped, the proposed frontage setback to this street and the setback to the front walls and entry areas, the new dwellings will not dominate the immediate surrounds/streetscape - noting of course that the adjoining dwelling at No. 58 is a two-storey dwelling. Even though the front dwellings have car accommodation in their Baggott Drive elevation these single garages and the level of articulation means that this car parking does not dominate in the overall design with the location of driveways and the new dwellings reflecting the pattern of dwelling spacings in the area. The location of car accommodation is softened by the provision of landscaping at the Baggott Drive frontage. The layout of the dwellings and the location of their private open space make quite good use of site's orientation having regard to the site's location on the south side of the street. The setback from most of the side boundaries and therefore the separation from the adjoining dwellings also support the proposal. The proposed dwellings will sit comfortably with other nearby dwellings. See also neighbourhood character discussion in policy framework section of submission.

#### **Residential policy objectives**

To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services

**Comment:** Construction of three new dwellings on the site will satisfy urban consolidation policy and local policy by increasing housing choice in an area that overall, still comprises many single family homes. The site is well located to take advantage of services and facilities. It is close to schools, shopping facilities and open space areas.

## **Standard B2**

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

**Comment:** See Policy Framework Section of Submission.

## **Dwelling diversity objective**

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Comment:** N/A – three dwelling development.

## **Standard B3**

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

**Comment:** N/A – but the proposed dwellings provide an alternative to the older single family homes in the area. The dwellings that will result from this development are on smaller sites and are three-bedroom dwellings well suited to a variety of households.

## **Infrastructure objectives**

To ensure development is provided with appropriate utility services and infrastructure.  
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

## **Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading or of mitigation of the impact on services or infrastructure.

**Comment:** The site is located in an established residential area. All services/infrastructure are available and the proposed additional dwellings on a lot presently occupied by one dwelling are unlikely to exceed this infrastructure. Baggott Drive has a wide reservation and is easily able to accommodate additional vehicles.

## **Integration with the street objective**

To integrate the layout of development with the street.

**Comment:** The proposed front dwellings will present to the Baggott Drive frontage and will be as much a part of Baggott Drive as the existing dwelling and the adjoining dwellings. The rear dwelling and its entry area will be visible down the side driveway.

## **Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Developments should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Comment:** Standard satisfied as the new front dwelling will introduce new dwellings with a frontage to Baggott Drive and these will readily integrate with other dwellings which have a similar frontage and presentation to Baggott Drive. The entry of the dwellings provides both with a suitable connection to Baggott Drive. Entry areas to all the dwellings are clearly and easily visible. The entry of the rear dwelling will be visible from along the side driveway. The site does not adjoin open space.

## **2 SITE LAYOUT AND BUILDING MASSING**

### **Street setback objective**

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

**Comment:** Most older original dwellings in this section Baggott Drive and the area have front setbacks that are generally in the range around 6-7 metres. The proposed minimum 5.85 metre setback (to Baggott Drive) for the front dwellings is seen as acceptable in the context of the setback of the existing adjoining Baggott Drive dwellings. Viewed in the overall context of Baggott Drive and the length of this street and its proximity to similar scale developments this development will not appear as being significantly forward or intrusive having regard to existing built form in Baggott Drive. The presence of the brick garden feature wall at 58 Baggott Drive is also significant.

## **Standard B6**

Walls of buildings should be set back from streets:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table B1

Porches, pergolas and verandahs that less than 3.6 metres high and eaves may encroach not more than 2.5 metres to the setbacks of this standard.

Porches, pergolas and verandahs less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setback.

**Comment:** This standard satisfied.

### **Building height objective**

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Comment:** Proposal involves double storey dwellings.

## **Standard B7**

The maximum building height should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, 9 metres.

Changes of building height between existing buildings and new buildings should be graduated.

**Comment:** Standard satisfied – new double storey dwellings less than 9 metres in height.

### **Site coverage objective**

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Comment:** Size of lots in area means that many of the original single dwellings have quite low site coverage. This is a relatively low-density proposal because the dwellings are double storey and such dwellings have a smaller footprint.

### **Standard B8**

The site area covered by buildings should not exceed:

- The maximum site coverage specified in the schedule to the zone, or
- If no maximum site coverage is specified in the schedule to the zone, 60 per cent.

**Comment:** Standard satisfied – site coverage is well under 60%.

### **Permeability objectives**

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

### **Standard B9**

At least 20 percent of the site should not be covered by impervious surfaces.

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

**Comment:** This standard satisfied because of site coverage and extent of landscaping in front setbacks and open space areas. Approximately 35% of site is pervious area.

### **Energy efficiency objectives**

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

**Comment:** Development involves double storey dwellings that are reasonably well located in relation to orientation of the site, the adjoining dwellings and the proposed rear double storey dwelling.

### **Standard B10**

Buildings should be:

- 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.

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.

**Comment:** Standard satisfied - new dwellings' living areas located to take some advantage of orientation of the site and site's location on the south side of Baggott Drive. The open space for the front and rear dwellings are located so as to receive some angled northern light. Good solar penetration to the new dwellings and no impact on solar access to the adjoining dwellings to south, east and west.

### **Open space objective**

To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

**Comment:** Site does not adjoin open space and there is no communal open space in layout.

### **Standard B11**

If any public or communal open space is provided on site, it should:

- 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.

**Comment:** No communal open space in layout.

### **Safety objective**

To ensure the layout of development provides for the safety and security of residents and property.

**Comment:** Layout is typical for a reasonably conventional medium density dwelling unit where a wide but not overly deep lot is being developed. This will provide secure living areas (as well as ground level private open space) and a good standard of safety for residents.

### **Standard B12**

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Comment:** Standard satisfied - entry to both front dwellings clearly visible because of location of these entries in relation to Baggott Drive. The driveway for the new rear dwelling also provides pedestrian access to this dwelling. Future planting will not create unsafe spaces. The ground level open spaces are private and secure - all are as secure as the backyard of the existing dwelling.

### **Landscaping objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

**Comment:** Site is presently occupied by a dwelling – there are no large canopy trees on site (only the ornamental palm trees which are not characteristic of garden landscaping in the area) and generally there are few large canopy trees in the area - overall the garden areas at the Baggott Drive frontages are suburban in scale and generally the site cannot be seen as being heavily landscaped although it does make a minor contribution to the character of the immediate area as found in Baggott Drive. The layout provides opportunity for new landscaping - particularly at the Baggott Drive frontage

### **Standard B13**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention of planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

**Comment:** There are no large canopy trees on the site and although site is located in an area of established gardens these are generally suburban in scale with few large trees, and not all properties have significant vegetation– they are more traditional suburban scale garden plantings. Size of site and location of the proposed dwellings provide opportunity for landscaping and a medium canopy tree can be planted in the backyard areas. New planting will soften the appearance of development to a standard comparable with the nearby dwellings. Landscaping able to be provided will be generally comparable with that able to be provided in the front gardens of most dwellings in Baggott Drive.

### **Access objective**

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Comment:** Suitable vehicle access is provided to site and all the dwellings.

### **Standard B14**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

**Comment:** Standard satisfied - car spaces and driveways have a suitable connection to local street network via the proposed crossovers.

### **Parking location objectives**

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

**Comment:** Standard satisfied – new dwellings all incorporate a single garage and one car space in the driveway. The location of this car parking is convenient to each dwelling. The layout of this development and the number of dwellings involved means that residents of the dwellings will not be impacted by vehicle noise.

### **Standard B15**

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

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.

**Comment:** Standard satisfied – garages are part of each new dwelling and are therefore close and convenient to the dwellings.

## **3 AMENITY IMPACTS**

### **Side and rear setbacks objectives**

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Comment:** Most dwellings in area are generally located off side/rear boundaries except perhaps for garage walls.

### **Standard B17**

A new building not on or within 200 mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the 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.

**Comment:** The height of the double storey dwellings proposed satisfy this height related setback standard.

### **Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Comment:** Walls on boundaries in area are generally limited to garage walls. This proposal has relatively short sections of garage and/or dwelling wall on side boundaries and a short section of the rear boundary.

## Standard B18

A new wall constructed on or within 200 mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where they are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A building on a boundary includes a building set back up to 200 mm from a boundary.

The height of a new wall constructed on or within 150 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Comment:** This standard satisfied.

### Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

**Comment:** Because of setbacks proposed, the orientation of the site and the location of the new dwellings in relation to neighbouring dwellings there will be no problems with significant overshadowing of these adjoining dwellings or their private open space areas.

## Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

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.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**Comment:** This standard is satisfied because of setbacks/location of adjoining dwellings to the east, west and to the south and because of the size and location of the open space/backyard areas of these adjoining Baggott Drive (No. 58) and Clay Avenue (No.22) dwellings. The villa unit dwellings at 54 Baggott Drive are separated from the site by their side driveway.

### North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

**Comment:** There are no north facing windows in the adjoining dwellings that would be affected.

## Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing

window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

**Comment:** Standard satisfied.

### **Overshadowing open space objective**

To ensure buildings do not significantly overshadow existing secluded private open space.

**Comment:** Noting the size and/or location of the open space of the dwellings to the south in Clay Avenue and to the east in Baggott Drive there would be no overshadowing of the open space areas of these adjoining dwellings. Any private open space provided for the adjoining villa unit dwellings at 54 Baggott Drive is well away from the west side boundary of the subject site.

### **Standard B21**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with 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.

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.

**Comment:** Standard satisfied because of setbacks and the size and location of open space areas of adjoining dwellings.

### **Overlooking objective**

To limit views into existing secluded private open spaces and habitable room windows.

**Comment:** No problems with overlooking because of use of obscure glazing to south facing upper floor windows of front dwellings.

### **Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio.

Views should be measured within a 45-degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.6 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Comment:** This standard satisfied by obscure glazing and internal and side boundary fencing.

### **Internal views objective**

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

**Comment:** The provision of obscure glazing and internal fencing ensures that direct views are not available from the front dwellings to the open space of the other dwellings.

### **Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Comment:** Standard satisfied.

### **Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.  
To protect residents from external noise.

### **Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Comment:** No major noise sources in immediate area and no mechanical plant proposed other than domestic equipment.

## **4 ON-SITE AMENITY AND FACILITIES**

### **Accessibility objective**

To encourage the consideration of the needs of people with limited mobility in the design of developments.

### **Standard B25**

The ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

**Comment:** Ground floor of all dwellings could be made accessible to persons of limited mobility and it is noted that the rear dwelling has a bedroom at ground floor level.

### **Dwelling entry objective**

To provide each dwelling or residential building with its own sense of identity.

### **Standard B26**

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

**Comment:** Standard satisfied – both front dwellings will clearly have a Baggott Drive address/presentation. The entry areas, the new driveway, and the upper floor roof form of these dwellings provide each of the front dwellings with a suitable sense of address. This delineation, the elevation to Baggott Drive and the front setback provide a suitable transitional area. The rear dwelling has presentation from the side driveway and this driveway provides a suitable transitional area.

#### **Daylight to new windows objective**

To allow adequate daylight into new habitable room windows.

#### **Standard B27**

A window in a habitable room should be located to face:

- An outdoor space open to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

**Comment:** All windows in the proposed new dwelling will face a suitable open area in satisfaction of this standard.

#### **Private open space objective**

To provide adequate private open space for the reasonable creation and service needs of residents.

#### **Standard B28**

A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone.

If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have 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.
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room

**Comment:** This standard satisfied.

#### **Solar access to open space objective**

To allow solar access into the secluded private open space of new dwellings and residential buildings.

#### **Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least  $(2 + 0.9 h)$  metres, where “h” is the height of the wall.

**Comment:** Because of the skewed orientation the allotment the front dwellings are suitably provided useable open space areas that adequately satisfy this standard.

### **Storage objective**

To provide adequate storage facilities for each dwelling.

### **Standard B30**

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

**Comment:** Ground level private open space areas of each dwelling are large enough to accommodate a storage facility without compromising the useability or amenity of these areas.

## **5 DETAILED DESIGN**

### **Design detail objective**

To encourage design detail that respects the existing or preferred neighbourhood character.

### **Standard B31**

The design of buildings, including:

- Façade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing of preferred neighbourhood character.

**Comment:** New dwellings are designed and detailed in a somewhat more contemporary suburban manner compared to the older 1970s suburban built form in the area, but the style is essentially still suburban with regards to form and scale and is reflective of other original dwellings. The dwelling is also in keeping with two-storey detached dwellings and other medium density dwellings in the precinct. Door and window proportions are acceptable. The garages are a relatively small part of the overall Baggott Drive elevation and so car accommodation is not a dominant component of this street elevation.

### **Front fence objective**

To encourage front fence design that respects the existing or preferred neighbourhood character.

### **Standard B32**

The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table B3.

**Comment:** Mainly low front or no fences in the wider area. Site presently unfenced to the Baggott Drive frontage. The new dwellings would have no front fence at the Baggott Drive frontage.

### **Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

### **Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Comment:** Common property that would be created upon subdivision of the development would be limited to the parts of the side driveway and this is unlikely to cause any servicing or management problem.

### **Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

### **Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

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.

**Comment:** Layout and detached built form (between the front and rear dwellings and the side driveway) means all dwellings will be able to access services in Baggott Drive and in the easement at the rear. No problems with other easements – if required these will be implied in the event of future subdivision. No need for bin enclosures and a letterbox can be provided for all the dwellings at the Baggott Drive frontage.

## **Clause 52.06 – Car Parking**

### **Clause 52.06-5 Number of car parking spaces required under Table 1**

The provision of a single garage for all dwellings with one driveway car space for each 3-bedroom dwellings satisfies the requirements of the table to this clause.

### **Clause 52.06-7 Requirement for a car parking plan**

The submitted plans satisfy the requirements of this clause.

### **Clause 52.06-8 Design standards for car parking**

#### **Design standard 1 – Accessways**

Proposal relies on a driveway for each dwelling with vehicles being able to exit the site to the street in a reverse direction in the manner of egress from a detached house with a side driveway. No need for vehicles from the rear dwelling to be able to exit the site in a forward direction

### **Design standard 2 – Car parking spaces**

This standard satisfied because of width/depth of garages. Spaces are 6 metres long and 3.5 metres wide.

The fact that at least one space for each dwelling is in a garage satisfies the requirement that where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

### **Submission - Terms of Use**

1. Ownership and copyright of this submission remains with Bardin Planning Co-ordination Pty Ltd.
2. The submission must not be altered or amended in any way without the consent of Bardin Planning Co-ordination Pty Ltd.
3. The submission has been prepared on the instructions of Damian Di Martino of TMC Building Design, Hoppers Crossing for the purposes of seeking planning permit approval from Wyndham City Council for the development of three new dwellings (Two x 2-storey and One single storey) at 56 Baggott Drive, Hoppers Crossing. (Owner: Nohan Harsha)
4. The submission satisfies the provision of planning consulting services as required and any additional planning consulting services will be subject to an additional quote and/or contract.