

Planning Assessment Officer Report

PA2503744 – 182 - 198
Chapel Road, Keysborough



Planning Assessment Officer Report
Development Assessment

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Executive Summary



Key Information	Details		
Permit No:	PA2503744-1		
Permit Allows:	Construction of two or more dwellings on the site.		
Amendment Received:	25/11/2025		
Applicant:	Peet Keysborough Pty Ltd c/- Contour		
Planning Scheme:	Greater Dandenong		
Land Address:	182 & 198 Chapel Road, Keysborough		
Title:	Volume 10445, Folio 109 Volume 08251 Folio 979		
Encumbrances, Caveats and Notices:	Section 173 Agreement AX748714Q Caveat AY546867F		
S72 Proposal Summary:	Construction of an additional 86 double storey dwellings, associated construction of roads and landscaping to provide a combined total of 250 dwellings.		
Condition Compliance Summary:	N/A		
Development Value:	Approved Value	Amended Value	
	\$ 56 m	\$86.5m	
Why is the Minister responsible?	<p>In accordance with the schedule to Clause 72.01-1 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because:</p> <p><i>'The Minister for Planning is the responsible authority for matters where clause 53.22 or 53.23 applies.</i></p> <ul style="list-style-type: none"> <i>matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act;</i> <i>matters under Division 2 of Part 9 of the Act where required under a permit in relation to the provision of the affordable housing contribution; and</i> <i>endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.</i> 		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.08	General Residential Zone Schedule 2 (GRZ2)	Construction and extension of two or more dwellings on a lot.
Overlays:			N/A
Particular Provisions:	Clause 52.06	Car Parking	N/A
Background Information:	Planning permit was issued on 29 September 2025 for the construction of 164 dwellings. Since the permit was issued, plans have been endorsed in accordance with the conditions of the permit.		
Planning History:	N/A		
Cultural Heritage:	An amendment to the approved CHMP been prepared by Ecology & Heritage, Number 17034, the amended date 3 September 2025 and signed on the 22 September 2025.		
Total Site Area:	6.084	ha	
Dwellings:	250 dwellings comprising: <ul style="list-style-type: none"> - 4.4% - two bedroom dwellings. - 52.4% - three bedroom dwellings. 		



- 42% - four bedroom dwellings.
- 1.2% - five bedroom dwellings

Parking:

- The two-bedroom dwellings are provided with a single garage
- The three, four-bedroom and five bedroom dwellings are provided with two car parking spaces (with one in the form of a garage).
- 60 visitor car spaces

Referral Authorities: Head, Transport for Victoria – Clause 66.02-11

Advice sought: Greater Dandenong City Council

Public Notice: Notice of the application under section 52 of the Act was not required because:
If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Delegates List: Not required



Application Process

1. The land was subject to a previous planning permit application which resulted in Planning Permit PLN20/0213 being issued at the direction of VCAT on the 25 August 2022. The permit allows:
Subdivision of land, multi dwelling development and removal of native vegetation.
2. The plans were endorsed by Council on 24 February 2024 which allowed for the subdivision of 101 allotments.
3. Planning permit PA2503744 was issued on 29 September 2025 for the development of 164 dwellings on the land at 182 Chapel Road.
4. The key milestones in the application process were as follows:

Milestone	Date
Pre-application meeting (DTP)	N/A
Application lodgement	25/11/2025
Further plans submitted under s50 of the Act	N/A
Decision Plans	Plans prepared by MPS Architects, titled '182 & 198 Chapel Road' and dated 19 November 2025.
Other Assessment Documents	<ul style="list-style-type: none">- Landscape Masterplan, prepared by Human Habitats, Rev. D, dated November 2025.- Typology Plans, prepared by MPS Architects, dated 19 November 2025- Traffic and Transport Assessment, prepared by Impact Traffic Engineers, dated 17 November 2025- Waste Management Report, prepared by Impact Traffic Engineers, dated 17 November 2025.- Sustainability Management Plan, prepared by Ecoresults, Rev. 4 dated 3 November 2025- Feasibility Cost Plan Report, prepared by RBB, dated 5 September 2025- Site Investigation, prepared by Senversa, dated 9 October 2025- Cultural Heritage Management Plan (Amended), prepared by Ecology & heritage, dated 3 September 2025 (Signed 22 September 2025)

5. The subject of this report is the decision plans (as described above).

Proposal Summary

6. The proposal can be summarised as follows:
 - Provision of an additional 86 dwellings, for a combined 250, two-storey dwellings (2, 3, 4 and 5-bedroom dwellings) on an average Lot sizes of 163m².
 - Each dwelling is provided with Secluded Private Open Space.
 - Each dwelling is provided with a minimum of a single garage.
 - 60 on street visitor spaces are located throughout the development.
 - Provision of footpaths.

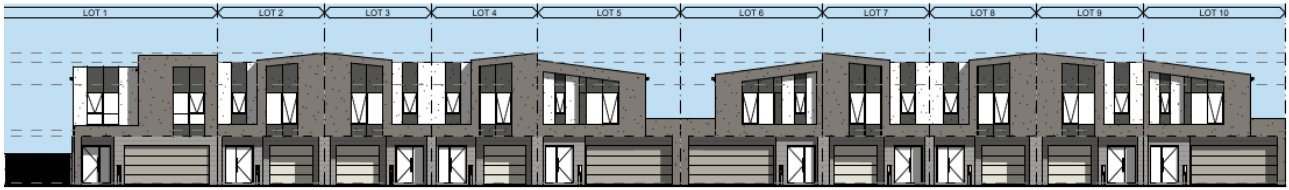


- Development of reserves and public open space.
- Retention of vegetation buffer between the site and Keysborough Golf Course.

7. The applicant has provided the following concept image/s of the proposal:



Figure 1: Concept Layout combined site



ELEVATION 1

Figure 2: Proposed Elevation

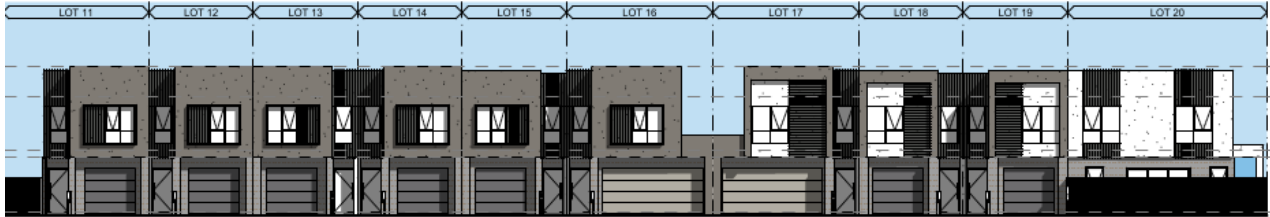


Figure 3: Proposed Elevation

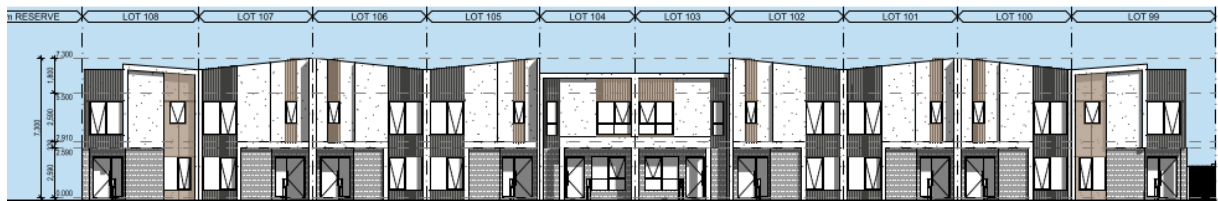


Figure 4: Proposed Elevation



LFT PERSPECTIVE (172-176)



FLT PERSPECTIVE (190-193)

Figure 5: Indicative Perspectives



FLT PERSPECTIVE (165-171)

Figure 6: Indicative Perspective

Subject Site and Surrounds



Site Description

8. The site is located on the western side of Chapel Road and north of Hutton Road. The combined site is irregular in shape and contains an existing dwelling in the southeast corner of the additional parcel of land. The rear of the block is bounded by Keysborough Golf Club and parkland is located to the north.
9. The site contains a strip of protected trees along the western boundary which is adjacent to the Keysborough Golf Course.



Figure 7: Site Location



Figure 8: Combined site



10. The site has an eastern frontage of 210m, a northern boundary of 113.7m, southern boundary of 224.4m and rear boundary length of 227.6m. A total site area of 6.15ha.

Site Surrounds

11. The surrounding development consists mainly of new housing developments to the east and open parkland to the west and north. A new primary school is located to the southeast of the site and further south is a new shopping centre.
12. Development surrounding the site can be described as follows:
 - To the **north** of the site:

There are several properties to the north of the site due to the irregular shape of the development block, these properties include Pencil Park, a new housing development (170 Chapel Road) and the Keysborough Uniting Church (formally Keysborough Methodist Church) which has a heritage overlay.
 - To the **south** of the site:

Residential housing addressing Orlando Crescent.
 - To the **east** of the site:

To the east of Chapel Road, are extensive new housing development, including double and three storey dwellings. The new housing development includes sporting fields and Keysborough Gardens Primary School. further to the south is Keysborough South Shopping Centre.
 - To the **west** of the site:

To the west is Keysborough Golf Club including fairways, water features and extensive tree plantings.
13. A site inspection of the subject site and surrounds was undertaken on 13 June 2025. Images of the site and surrounds are reflected in Figures 9-12. The context remains largely unchanged.



Figure 9: Subject site looking north



Figure 10: Subject Site looking south



Figure 11: Adjacent housing development (North of site)



Figure 12: Northern Boundary (Church)



Figure 13: View from Orlando Crescent to subject site (south boundary)



Figure 14: Surrounding development (Source applicant)



Planning Policy

14. None of the applicable policies under the Planning Policy Framework or statutory planning controls within the scheme have changed since the decision on the application and given the nature of the amendments these policies do not need to be re-examined.

Statutory Planning Controls

15. The zoning and overlay controls remain the same since the decision for the application was made.
16. The proposed amendments are consistent with the approved development and will not compromise the objectives of the zone or overlays and the permitted development.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 – Car Parking

17. Clause 52.06 requires 1 car space for each one- or two-bedroom dwelling, and 2 spaces for each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom).
18. The proposal fully complies with this statutory requirement providing 320 residential parking spaces and 33 visitor parking spaces and accordingly no permit is triggered for a car parking reduction.
19. It is noted that the subject site is located outside of the Principal Public Transport Network (PPTN) area, the provided visitor parking meets the standard.

Clause 52.17 – Native Vegetation

20. Pursuant to Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation.
21. No native vegetation is proposed to be removed as part of the development.

Clause 53.18 – Stormwater Management in Urban Development

22. Clause 53.18 applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works and sets out the following requirements:

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

Clause 53.23 – Significant Residential Development with Affordable Housing

23. The purpose of Clause 53.23 is:
 - *To facilitate residential development that contributes to the provision of affordable housing to meet existing and future needs.*
 - *To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.*
 - *To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.*
 - *To facilitate residential development with high quality urban design, architecture and landscape architecture.*



- *To provide opportunities for non-residential use and development in association with residential development.*

24. The application has been submitted with documentation confirming the application meets this requirement and conditions will be included in any permit issued.

Clause 55 – Two or more dwellings on a lot and Residential buildings.

25. Clause 55 applies to an application to construct two or more dwellings on a lot.



Referrals

26. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining	Head, Transport for Victoria	19 December 2025
Informal Referral	City of Greater Dandenong	31 December 2025

Municipal Council Comments

27. The application was informally referred to Dandenong City Council (the council) who have considered the application and provided a detailed response to the proposal. As part of the response, various internal departments within council have objected to various components of the design.

28. The council have provided the following advice. Further information is in appendix 2.

STATUTORY PLANNING COMMENTS	
<p><u>OBJECTION</u></p> <p>The proposed single non-signalised connection point to Chapel Road providing access for 250 dwellings is not supported and will cause road management and safety issues in the future. The allocation of any road within the development as a public road will not be supported.</p> <p>The vesting of any of the public open space areas within the development for Council to manage in perpetuity is also not supported.</p> <p><u>Therefore, any future planning application for subdivision of the land will not be supported if:</u></p> <ul style="list-style-type: none"> ▪ <u>the current access arrangements are maintained or</u> ▪ <u>public open space areas are proposed to be vested to Council.</u> <p><u>In addition, should Council's Transport Engineering significant concerns not be appropriately addressed, Council may be required to reject any access proposals under the Road Management Act 2004</u></p> <p>These issues are discussed in further detail below.</p>	
<p>Road layout, access and car parking</p>	<p>The proposed road layout including one public road connecting to a non-signalised access point to Chapel Road is not supported. The traffic volumes associated with a development of 250 dwellings will require a signalised intersection to connect to Chapel Road.</p> <p>An altered signalised intersection at Homeleigh Road should be provided to more appropriately manage the expected traffic volumes from the development, rather than one non-signalised connection point to Chapel Road.</p> <p>The amended proposal will also result in significant traffic pressure within the surrounding road network and traffic congestion due to only one non-signalised connection to Chapel Road proposed for the whole combined development. Council is not supportive of the proposed design of the public road and associated court bowl and access from Chapel Road as this will cause future road management issues and significant safety issues within the precinct.</p> <p><u>Please note that if Council's Transports Engineers significant concerns are not taken onboard in the assessment of the development proposal and either the proposed access to the development is not amended or conditions are not placed on the permit to address Council's significant concerns, under the Road Management Act, Council may be required to reject any road access works that will affect public roads under safety grounds.</u></p> <p>Should DTP progress the application to a decision for approval Council would strongly advocate for conditions to be placed on any permit to be issued addressing these concerns (see Transport Planning referral section below).</p>



Public Open Space	<u>All the proposed reserve areas will need to be privately managed by the Owner's Corporation and cash contributions will be required to be paid to Council instead of the vesting of public open space to Council.</u>
Clause 55 Assessment	<p>The proposed amendment has numerous non-compliances with the Townhouse and Low-Rise Code provisions.</p> <p>The minimum Standards of the Townhouse and Low-Rise Code were designed to set basic but important standards for good development. For a development of this size and density, these non-compliances demonstrates that the specified standards for good development in the Code cannot be achieved and the proposal would not provide a suitable level of internal or external amenity for future residents.</p> <p>The proposal is a significant over-development of the combined site.</p>
Future subdivision	<p>As per previous comments, any future planning application to subdivide the land must include only private roads and all public open space areas to be managed by the Owner's Corporation.</p> <p><u>A planning application to subdivide any part of the land which includes the provision of any public roads, proposed access or the vesting of public open space areas to Council for their maintenance in perpetuity will not be supported.</u></p>

INTERNAL COUNCIL REFERRALS	
Asset Planning	<p>Further information required</p> <ul style="list-style-type: none"> ▪ A stormwater management plan is required to be provided to demonstrate how stormwater and overland flow will be managed for the proposed development. ▪ A hydraulic modelling report is required to be provided to assess the 1% Annual Exceedance Probability (AEP) flood levels, incorporating the impacts of climate change. The report must include afflux mapping for Chapel Road (eastern site boundary) and the adjoining southern property.
Civil Development/ Stormwater Management	<p>OBJECTION</p> <p>The proposal fails to provide information regarding stormwater management, drainage and any associated earthworks plan.</p> <p>Additional comments: The development has probability of flooding from Melbourne water's drainage system. Melbourne water's referral is required.</p>
Strategic Planning	<p>OBJECTION</p> <p><u>The public open space areas are to be privately managed and not vested to Council as part of any future subdivision application. Cash contributions will be required to be paid to Council instead.</u></p>



Sustainability	<p>Further information required:</p> <p>The application does not yet satisfy Council's expectations for environmental sustainability as insufficient detail has been provided in the submitted Sustainability Management Plan (SMP), includes a preliminary residential NatHERS rating and Whole of Home assessment to achieve a minimum energy rating of 7-stars for each dwelling.</p> <p>A stormwater management report is also required to demonstrate the proposed water quality performance will satisfy Best Practice Environmental Management Guidelines for Stormwater (CSIRO1999).</p> <p>It is understood that the applicant is working directly with Melbourne Water regarding stormwater management of the proposed development. Once agreed with Melbourne Water, further details of the proposed stormwater management strategy should be included in the updated SMP, including the outputs of an appropriate stormwater modelling tool such as MUSIC. The report must include maintenance requirements of the proposed stormwater quality systems including maintenance requirements and frequency of maintenance.</p>
Transport Planning	<p>OBJECTION</p> <p>Council advises that an altered set of signals at Homeleigh Road is the optimal outcome for the development and the provision of 250 dwellings. The proposed standalone access point will reduce road safety and increase congestion due to the expected traffic volumes of a development of this size.</p> <p>Council's calculations regarding traffic volumes and those identified in the submitted Traffic and Transport Assessment significantly differ. The traffic volumes outlined in the submitted Traffic and Transport Assessment are considerably lower than Council's calculations and it is considered that the Traffic and Transport Assessment prepared by Impact Traffic Engineering do not accurately represent the numbers of vehicles utilising the road network associated with the development.</p>

	<p>The amended proposal will have significant negative traffic and safety impacts within the development and within the surrounding road network.</p> <p><u>Council's Transport Department are willing to discuss the significant concerns regarding access with DTP and the applicant to resolve this matter. However, should DTP not wish to engage with Council's Transport Department on these concerns and are minded to grant an amended permit the following Conditions must be placed on any amended permit to be issued.</u></p> <p>Proposed Conditions:</p> <ol style="list-style-type: none">1. Prior to the endorsement of plans amended plans must be submitted to the satisfaction of and approved by the Responsible Authority. The amended plans must:<ol style="list-style-type: none">a. Incorporate any amendments or recommendations of the amended Traffic Impact Assessment.2. Prior to the endorsement of plans an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the Responsible Authority. The amended TIA must include:<ol style="list-style-type: none">a. An Assessment of alternative access arrangements to the site from Chapel Road and selection of an access arrangement providing the highest performing outcome. This assessment must consider pedestrian, vehicular and cyclist movements and road safety when accessing the development and the impacts on the surrounding road network. The amended assessment must include consideration of:<ol style="list-style-type: none">i. Signalised access at the existing signals on Chapel Roadii. The provision of multiple access pointsb. An Assessment of traffic impact using a traffic generation rate suitable to dwellings within areas of new residential development / subdivision with low access to public transport.c. A review of all internal road cross sections and access arrangements in line with any amendments to, or recommendations of the Traffic Impact Assessment.
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Urban Design	OBJECTION <u>Any allocation of the public open space areas to be managed by Council is not supported.</u> The proposed dwellings have multiple non-compliances with the minimum standards of Clause 55 and will not provide a suitable level of amenity for the residents of this development. Considering the poor landscape outcomes of the proposal, good shade and canopy coverage will not be achieved. The urban design outcomes are considered a poor design response as a cookie cutter design approach has been adopted throughout the development.
Waste Services	NO OBJECTION (subject to minor revisions) A private waste collection can be approved for this development but there are concerns with the proposed Waste Management Plan regarding hard waste collection. The waste Management Plan should be amended to require the provision of a private hard waste collection for all the dwellings as Council does not offer a booked hard waste collection to residents with a private waste collection.

Head, Transport for Victoria

29. Head, Transport for Victoria have provided a referral response of no objection, subject to conditions. The condition confirms the condition included in the permit when issued. The condition relates to the location of the bus stop and shelter which is in the location of the proposed new access road to the site.
30. The Head, Transport for Victoria have provided an additional note to be included in the permit. The additional note is as follows:

Foreseen disruptions to bus operations and mitigation measures must be communicated to Department of Transport and Planning eight (8) weeks prior by telephoning 1800 800 007 or emailing customerservice@transport.vic.gov.au

Notice

31. The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:
 - A development plan has been prepared to the satisfaction of the Responsible Authority.



Strategic Direction and Land Use

33. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
34. The City of Greater Dandenong developed a Housing Strategy 2014-2024 which identifies the following vision:
The City of Greater Dandenong will foster a strong housing market that meets the community's diverse and changing needs, contributes to the revitalisation of the municipality, directs housing growth to appropriate locations and delivers housing that enables all Greater Dandenong residents to access to a range of affordable, sustainable and well-designed housing products and services.
35. The strategy provides four key themes as follows:
 - Theme A Growth and Liveability
 - Theme B Design and Diversity
 - Theme C Revitalisation and Investment
 - Theme D Housing Affordability
36. In addition, the City of Greater Dandenong undertook a Neighbourhood Character Study (September 2007) which was used to inform Clause 22.09 of the Dandenong Planning Scheme which provides Residential Development and Neighbourhood Character Policy. This policy provided the basis for identification of 'Future Change Areas' within the residential framework.
37. The Councils strategic work provided information for the development of the Keysborough South Development Plan. Stages 2 and 3 were prepared in accordance with the requirements of Schedule 5 to the Development Plan Overlay which was approved by Council in 2009. The Revised Keysborough South Development Plan, Stages 2 and 3 was approved by Council on the 27 June 2011 and an addendum which included a property at 619 Chander Road was approved on 29 August 2018.
38. The subject site is located along the western boundary of the approved Development Plan. The plan highlights the extent of the area proposed to be included in the development plan overlay (Figure 16) and Stages 2 and 3 provide greater information regarding the location for the types of development including residential, education, community and commercial precincts.
39. The Development Plan provides guidance and expectations for the development of residential housing within the area for a 10-year period. The Plan also provides guidance on the density of development within the area proposing that lots will be a mix of conventional – *lots ranging from 450 to 1000 sqm* and medium – *consisting of multi-dwelling development sites that typically range from 200 to 300 sqm*.
40. The Development Plan outlines the location of allotments:
"It is proposed that these lot types will be mixed and integrated throughout Keysborough South (Stages 2 and 3) with a strong focus on medium density development (where market demand exists) within proximity to the proposed neighbourhood activity centre, main roads and public transport routes..."
"...The actual development yield will be determined through the assessment of planning permit applications for subdivision or development. Applications will be assessed against the Scheme, the development objectives and other provisions of this Development Plan. The number and approximate sizes, densities and distributions of lots may vary as a consequence of this process. In particular, development yield will be determined by physical constraints on the site and the need to meet the environmental criteria including buffer areas, public open space provision and final determination of the design of the drainage system."



Figure 15: Stages 2 & 3 Development Plan

41. The Development Plan provides specific requirements to be included in any design on the land, these include the following:
 - Residential Development
 - Tree Reserved (where required) along western and north boundaries.
 - Tree Reserve setback to Chape Road.
 - Public Open Space Required :10.2% (182 Chapel Road) and 8.6% (198 Chapel Road).
42. The proposal has been guided by the Development Plan through the provision of medium density lots which continue to allow for the provision of 4m wide vegetation buffers to Chapel Road and 6m wide tree reserve to the golf course and to Pencil Park to the north.
43. Importantly, the proposal satisfies the mandatory requirement for 10.2% of 182 Chapel Road and 8.6% of 198 Chapel Road to be provided as public open space. This requirement is met through a combination of public open spaces, including:
 - 6m wide treed reserves along the northern and western boundaries of 182 Chapel Road;
 - 4m wide treed setback to Chapel Road;
 - Reserves on both properties between the 4m wide setback to Chapel Road and the internal road network;
 - A 6m wide reserve between dwellings in 182 Chapel Road;
 - A 7.7m wide reserve between dwellings in 198 Chapel Road; and
 - A linear reserve located centrally to 182 Chapel Road.




44. Council's referral comments state that they will not accept the vesting of any of the public open space areas for Council to manage in perpetuity and that all proposed reserve areas will need to be privately managed.
45. It is a requirement of the Development Plan that the aforementioned percentages of each property is provided as public open space. The proposal satisfies this requirement, else a permit would not be able to be granted, as it would not be "generally in accordance with the development plan" as per Clause 43.04-2.
46. It is noted that there is an existing Section 173 Agreement registered on the Certificate of Title for 182 Chapel Road (Instrument AX748714Q). This Agreement was entered into pursuant to the council issued Planning Permit PLN20/0213 issued on 25 August 2022.
47. The 'Background' section of the Agreement outlines that:

F. The Parties have agreed to enter into this Agreement to:

F.1 give effect to the agreement between the Parties, dated 5 February 2024, in the withdrawal of the Proceeding by the Owner under which the Owner agrees to nominate and described certain open spaces areas as Owner's Corporation Open Space Areas and the Council agrees that it will calculate the land component of open space contributions pursuant to clause 53.01 Corporation Open Space Areas form part of the contribution to the Council for the purposes of clause 53.01 or are otherwise deemed to count towards that open space contribution, up to the total 10.79% land component of that open space contribution;

48. The 173 Agreement also includes detailed provisions recognising the provision of open space on the site and imposing an obligation that the open space be managed and available to the public as 'public open space'.
49. It is evident that Council has historically agreed to credit open space being provided as part of the development of 182 Chapel Road in the form of the tree reserves and the linear reserve located centrally on the property, despite the fact that some areas are proposed to be common property as part of the subdivision of the land.
50. On this basis, it is considered that the proposed areas of open space can be managed by the Owners' Corporation and will still satisfy the requirements of the Development Plan to provide public open space.
51. For the avoidance of doubt, the amended permit will include the following conditions:
 - *The areas shown as public open space (including tree reserves and the central linear park) on Overall Ground Floor Plan (Compliance), DA09, dated November 2025, are recognised as the public open space contribution to satisfy on-site open space requirements and must be available for use by the public at all times despite being owners corporation land within the development. This open space represents the 10.2% local open space required to be provided on 182 Chapel Road and the 8.6% on 198 Chapel Road in accordance with the Keysborough South Development Plan.*
 - *Prior to the commencement of development, including subdivision of any part of the land, the owner must enter into an agreement pursuant to s.173 of the Planning and Environment Act 1987, which provides inter alia, as follows:*
 - *The owner must ensure that the public open space areas identified on Overall Ground Floor Plan (Compliance), DA09, dated November 2025, are available for public use at all times; and*
 - *Are planted and maintained by the owner in accordance with the endorsed plans.*
52. It is noted that whilst Clause 53.01 relates to "a contribution to the council for public open space" it is open to the Minister for Planning/Department of Transport and Planning, as the responsible authority for this application, to consider and make decisions regarding the design of the development and the provision of open space given the Development Plan establishes a public open space requirement that must be satisfied by any permit granted, not just a subdivision permit.



In exercising the role of responsible authority, it is appropriate for the Minister or her delegate to determine the provision of open space and to require the entry into a Section 173 Agreement to ensure the proper recognition, protection, and ongoing maintenance of public open space within the development.

Amended Plans

Extension of the planning unit to include 198 Chapel Road which is accessed via the approved vehicle access for 182 Chapel Road providing vehicle access to all additional dwellings.

53. The application to amend the permit includes an additional planning parcel of land known as 198 Chapel Road, this land is located to the south of the main body of the site. The additional parcel of land will be provided access to Chapel Road via the approved intersection and via extended internal road network. This intersection has been reviewed by Head Transport for Victoria who did not have any additional conditions to be included in the permit but have asked

Provision of an additional 86 dwellings, for a combined total of 250 dwellings including a dwelling mix of two, three, four and five bed dwellings.

54. The additional proposed 86 dwellings are considered to be consistent in architectural style with the approved development and will include a variety of dwelling sizes.
55. The terrace style dwellings provide a mix of materials and finishes, to create visual interest and a sense of place for the groups of dwellings. All dwellings are provided with a minimum of a single garage with the provision of a tandem car park in the driveway achieving a minimum of two car parking spaces per dwelling and meeting Clause 52.06.

An average lot size of 163.42sqm.

56. All dwellings are provided with rear yards, accessed via the living room, the POS areas have a minimum width of 4m. the proposed lot sizes are consistent with the approved development.

Total of 60 visitor parking spaces

57. Additional on street parking areas have been designated for visitors to the development. The locations will ensure limited conflict with proposed crossovers within the development.

Materials and street tree planting consistent with the approved scheme.

58. The landscaping masterplan has been updated to reflect the proposed planting for the amended development layout. This includes proposed landscaping for street scapes and reserves. The plans will still be required to meet the permit conditions included regarding species of vegetation and more detailed plans showing the location and numbers of plants to be included in the reserves.

Design Detail

59. The applicant submitted detailed plans providing a variety of dwelling styles which include variations to the number of bedrooms, external materials, single or double garages, roof styles and access arrangements.
60. The architectural plans submitted have been reviewed by DTP's Urban Design team who have confirmed that the proposed new dwellings provide an appropriate amount of articulation, variation between dwelling groups and improved landscaping opportunities.
61. The varied façade treatments provide greater variation to the terrace style dwellings and improving a sense of place for residents and is consistent with the approved development.



FLT PERSPECTIVE (177-182)

Figure 16: Perspective of dwellings



FLT PERSPECTIVE (190-193)

Figure 17: Perspective of dwellings



Figure 18: Front elevation



Figure 19: Rear elevation



Figure 20: Perspective of dwellings



Figure 21: Elevation demonstrating various materials

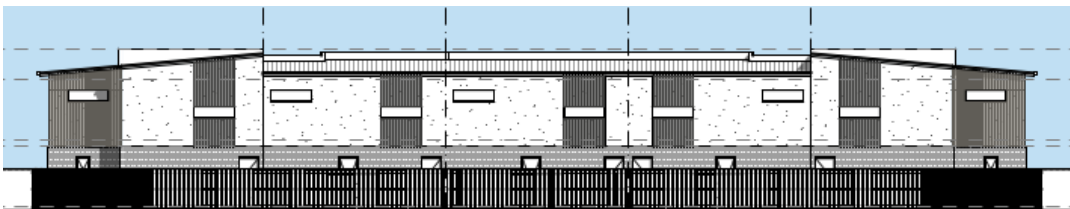


Figure 22: Rear of dwellings

Overshadowing

62. The amended plans include shadow diagrams demonstrating the shadow impacts on adjoining properties at 9am, 12 noon and 3pm. Shadow impacts for the additional dwellings affect the existing development located to the south of the site.



- 63. The shadow created by TH 250 which is located in the southwest corner of the site will impact the SPOS of the dwellings located at the end of Orlando Crescent and abut the subject site. The shadow from the new dwelling will impact the SPOS at 9am and as shown in the diagrams below additional shadow will be contained within the shadow cast by the existing boundary fence prior to 12 noon.
- 64. The shadows cast are deemed to comply with the objective and will allow sunlight for a minimum of 5 hours to the townhouses SPOS areas.

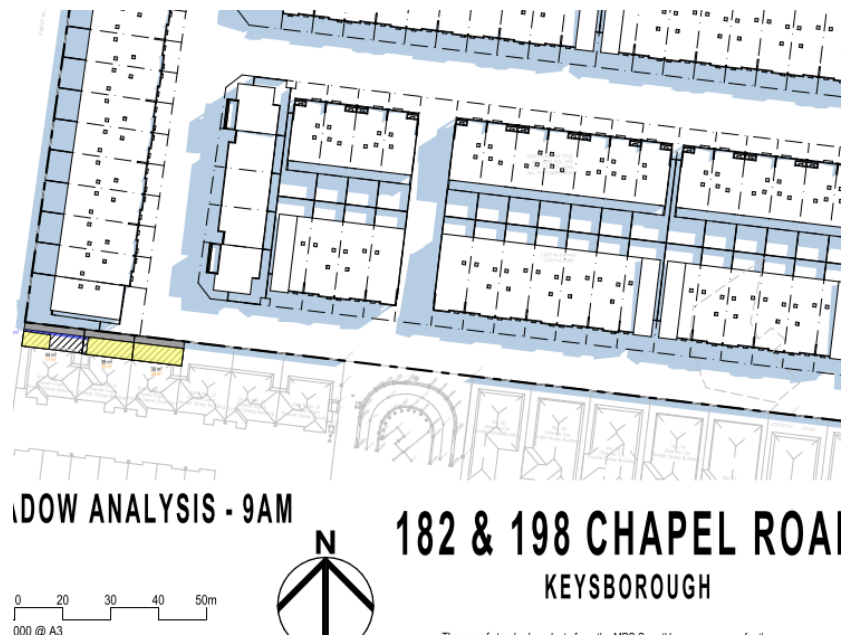


Figure 23: Shadow impact 9am

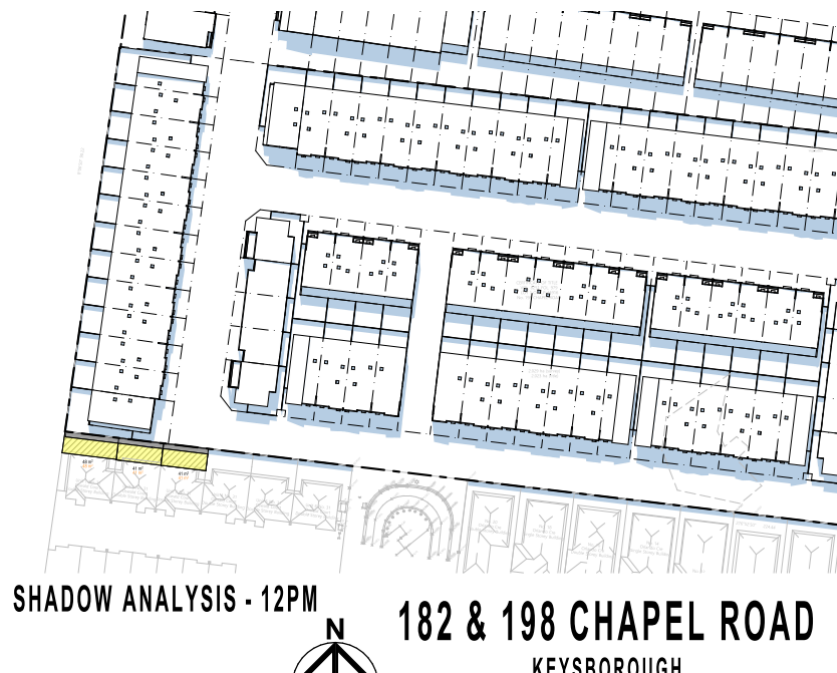


Figure 24: Shadow impact 12 noon



Landscaping

65. The approved Development Plan and DPO5 seek to ensure that the development provides a new street network which improves road and pedestrian capacity. The submitted landscape masterplan includes the provision of new street trees and grass verges within the new street network, providing a positive interface to the public realm.
66. The submitted amended landscape concept plan shows how the new publicly accessible roads will be delivered. These roads will contribute appropriately to connectivity within the neighbourhood and improve permeability through the large site.
67. In addition, the amended plans provide a continuation of the 4.0m wide tree reserve along the Chapel Road frontage extending along the full frontage of the site. In addition, the amended plans provide two new reserves along the Chapel Road frontage which allow pedestrian access from the additional dwellings to Chapel Road.
68. A new reserve has been included to provide a visual break in the built form within the southern element of the development. The reserve will also allow pedestrian access through to Orlando Crescent.
69. The amended proposal includes new street trees consistent with the approved landscape plans, these trees include the following:
 - *Fraxinus pennsylvanica* – Urbanite Ash with a mature capacity of 15m (h) x 8m(w)
 - *Corymbia citriodora* – Lemon-scented Gum, mature capacity of 30m(h) x 20m(w).
70. The provision of these trees will improve the landscaped outcome for the development and provide the perception of a tree corridor leading to the surrounding parkland.
71. The landscape concept plan provides limited detail in terms of future design for the public reserves. It is considered that given the significance of this infrastructure within the development, the reserves should be considered separately from the broader landscape plan. A condition will be included to require a separate public open space landscape plan for these areas.



Figure 25: Landscape plan

Infrastructure

- 72. The internal road network has remained consistent with previous approvals.
- 73. The internal roads will be maintained by the body corporate and will be private roads within the development.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

- 74. Clause 52.06-5 requires 1 car space for each one- or two bedroom dwellings, and 2 spaces to each three or more bedroom dwellings (with studies or studios that are separate rooms counted as bedrooms).
- 75. The proposal fully complies with this statutory requirement, and accordingly no permit is triggered.



76. The site is not located within the Principal Public Transport Network area and therefore visitor parking is required. The new street network allows for the provision of visitor parking within the road network, meeting the standard.
77. The traffic report also confirms that the development meets the statutory parking rate for dwellings and 60 visitor parking spaces have been provided exceeding the required rate in Clause 52.06.
78. The proposal also meets Clause 52.06-9 – Design Standards for Car Parking.

Access, Traffic Movement and Circulation

79. A Traffic and Transport Assessment has been provided by Impact and dated 17 November 2025. The report details estimated vehicle movements both to and from the site and the impact to the surrounding traffic network.
80. The new road network for the additional housing will access the approved roads within the development and will enter and exit the site via the single entrance to Chapel Road.

Bicycle Facilities

81. Clause 52.34-5 of the Scheme requires bicycle parking facilities to be provided for dwellings which are part of a development of 4 or more storeys.
82. All dwellings are provided with a single or double lock up garage depending on the dwelling configuration which provide for secure bicycle parking for residents.

Waste

83. The waste management plan has been updated by Impact, dated 17 November 2025. The report details the expected additional waste generation on the site from the new dwellings and proposes for all waste to continue to be privately collected.
84. Residents are required to move bins to the street in front of their dwelling for collection, with rubbish collected weekly, recycling fortnightly and organic waste collected on the alternate fortnight to recycling. It is proposed for hard rubbish to be collected via council's hard rubbish collection arrangements.

Environmental Risks

Environmental Risks

85. The application has been provided with a Site Investigation Report, prepared by Senversa Pty Ltd, dated 9 October 2025. This report is in addition to the report submitted with the origin application which includes an Environmental audit statement, ID 8006491 which has been prepared by a qualified Environmental Auditor and dated 24/05/2022.
86. The report details that the site is suitable for the proposed use for residential.

Sustainability

Environmentally Sustainable Design (ESD)

87. The application was submitted with an amended Sustainability Management Plan prepared by Ecoresults. It includes a Green Travel Plan along with suitable measures for the development.
88. The report demonstrates that the dwellings achieve a minimum BESS percentage of 62% demonstrating that the new dwellings continue to achieve a minimum of best practice.

Water Sensitive Urban Design (WSUD)

89. Water sensitive design has not been considered as part of the Sustainable Management Plan. The applicant will be working directly with the water authority to engage in a voluntary contribution arrangement.
90. The BESS assessment also includes a STORM report as part of the assessment tool.

Stormwater Management

91. The amendment to the application was not submitted with a stormwater management plan as part of the documents. A Stormwater Management Plan is remains required as part of permit conditions detailing how stormwater will be managed for the entire site.
92. Council have raised concerns that no documentation was submitted and the probability of flooding from Melbourne Water's drainage system. However, the site is not shown on the planning maps as being flood prone or subject to inundation.

Native Vegetation

93. The site is greater than 4000m² and therefore an assessment under Clause 52.17 is required.
94. The site is vacant land with limited vegetation located along the eastern and western boundaries. An assessment has been undertaken for the site and the vegetation proposed to be removed is in poor condition.
95. Two significant trees, Tree 8 (*Pinus Radiata – Monterey Pine*) and Tree 10 (*Eucalyptus camaldulensis – River Redgum*) which are both located along the eastern boundary are proposed to be retained and protected within Reserve H and Reserve J.
96. No native vegetation is proposed to be removed.

Other Matters

Cultural Heritage

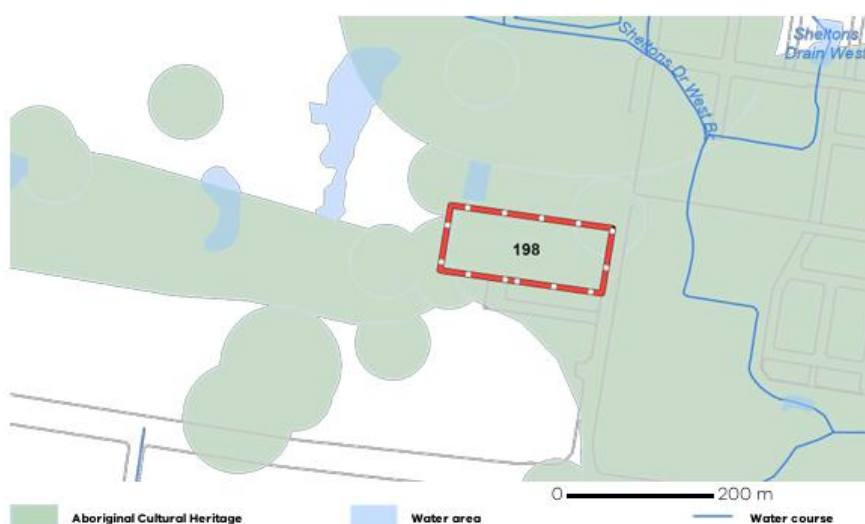


Figure 26: Cultural Heritage mapping

97. A Cultural Heritage Management Plan has been amended and prepared by Ecology & Heritage, No. 17034, dated 3 September 2025. This report was submitted to the Director Heritage Services First Peoples – State Relations who have reviewed and authorised the document on the 22 September 2025.



PLANNING PERMIT

Permit No.:	PA2503744
Planning Scheme:	Dandenong
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	182 & 198 Chapel Road Keysborough VIC 3173 (Lot 1 TP 13953 Part Por 55 Vol 10445 Fol 109) (Lot 1 PS44916 Vol 08251 Folio 979)

THE PERMIT ALLOWS:

Planning Scheme Clause No.	Description of what is allowed
32.08-7	Construct two or more dwellings on a lot

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Development Plans


1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the plans prepared by MPS Architects, dated **13 November 2025**, but modified to show:
 - a) Deleted.
 - b) Deleted.
 - c) Dimensions of electrical kiosk's located in reserves.

Layout not altered

2. The layout and staging of the development must not be altered from the layout and staging shown on the approved and endorsed plans without the written consent of the responsible authority.

Landscaping

3. Prior to commencement, an amended landscape plan must be submitted to and approved by the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Human Habitats, dated **November 2025**, but modified to show:
 - a) The site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;
 - b) Landscaping of all common and body corporate areas, including the linear open space, linear reserves, tree reserves, road verges and along the length of the north south driveway between Lots 78-118.
 - c) Detailed landscape plans for each of the open spaces and reserves, to include pathways, planting schedules, location of park equipment and seating.

- 
- d) Details of the proposed layout, type and height of fencing, including open style mesh fencing in green or black finish to the north and western boundaries of the site;
 - e) A pedestrian path to be included within the reserve proposed at the southeast corner of the site, providing access from the development to Chapel Road.
 - f) Legend of all plant types, surfaces, materials and landscape items to be used
 - g) A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities including a mix of canopy and lower storey trees;
 - h) At least one (1) canopy tree within the rear secluded private open space areas of all dwellings;
 - i) Street trees in common property / public open space areas to be a minimum of 2 metres high when planted, except in the northern and western vegetation buffers, when tubestock of local provenance to be used;
 - j) Tree selection for street trees to be a species that will create a boulevard effect with repetition of a clear trunked medium scaled tree;
 - k) All common property / public open space areas to be accessible to all maintenance vehicles and equipment to undertake all necessary functions;
 - l) Provision of canopy trees, shrubs and ground covers within the vegetation buffer to the west of the site with plant selection informed by advice from a qualified ecologist and generally as appropriate in the EVC55: Plains Grassy Woodlands;
 - m) Inclusion of Water Gum (*Tristaniopsis laurina*) in planting of vegetation buffer adjacent to Chapel Road;
 - n) Any open space facilities including BBQs, seating, playground or other open space improvements;
 - o) Planting in the 6.0 metre reserve between dwellings 87 and 88 and 108 and 109 to include smaller canopy vegetation;
 - p) Planting in the 7.0 metre reserve between dwellings 189 and 190 and 202 and 203 to include canopy trees with maximum mature heights of 8m.**
 - q) A minimum of 3 canopy trees with a mature height of greater than 8m to be planted in each of the reserves labelled as Reserve H and Reserve J.**
 - r) Details of proposed soil type where fill is proposed in planting areas; and
 - s) Details of soil preparation and maintenance regime for planting on common property/public open spaces.


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

- 4. Prior to the occupation of each stage of the development, the landscaping works shown on the approved and endorsed plans for that stage must be carried out and completed to the satisfaction of the Responsible Authority.
- 5. The landscaping shown on the approved and endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the Responsible Authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants must be replaced.
- 6. Prior to the occupation of each stage of the development a Landscape Management Plan must be prepared to the satisfaction of the Responsible Authority. The Landscape Management Plan must include matters such (excludes private gardens):
 - a) Weed management;
 - b) Mulching of landscape beds;
 - c) Replacement of dead or diseased plants;
 - d) Protection of landscaping including appropriate staking of trees; and
 - e) Watering of tube stock during the first summer period.

Tree Management Plan

- 7. The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority.

Tree Protection during construction

- 
8. Before the development starts, a tree protection fence must be erected around the tree reserves located along the western and northern boundaries to define a 'Tree Protection Zone'.

The tree protection fencing and Tree Protection Zone must be established and maintained in accordance with the following requirements to the satisfaction of the responsible authority:

- a) The tree protection fence must be constructed of chain mesh or similar.
- b) The tree protection fence must remain in place until the development is completed.
- c) The Tree Protection Zone must be covered by a 100mm deep layer of mulch and watered regularly.

The responsible authority may consent in writing to vary any of these requirements.

Environmentally sustainable design

9. Before the development starts, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The SMP must be generally in accordance with the plan prepared by EcoResults, dated **3 November 2025**, but modified to show:
- a) NatHERS Certificates for all thermally unique dwellings in the development, with each dwelling to each an energy rating of minimum 7-stars. Details contained within the BESS Report must match the information in the relevant certificate.
10. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.

Stormwater Management Plan

11. Before the use and development starts, a stormwater management plan must be approved and endorsed by the Responsible Authority. The stormwater management plan must be prepared to the satisfaction of the Responsible Authority and must:
- a) Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
 - b) Set out how the stormwater management system will be managed on an ongoing basis.
 - c) Demonstrate how all relevant standards set out in the planning scheme, including modelling and calculations.

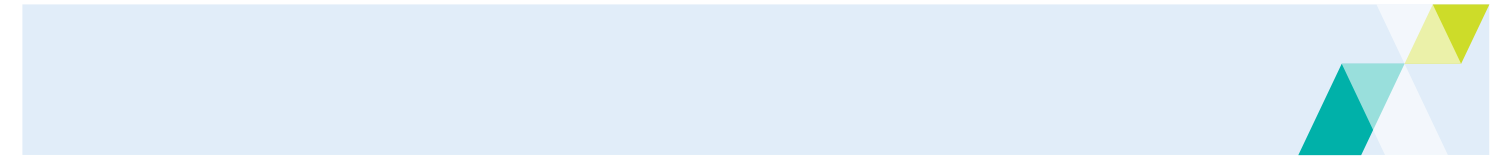
Stormwater Management System – implementation and management

12. The stormwater management system approved by the Responsible Authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the Responsible Authority.
13. The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the Responsible Authority.

Waste Management Plan

14. Before the use and development starts, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must be approved and endorsed by the Responsible Authority, be generally in accordance with the Resource Management Plan, prepared by Impact, dated **17 November 2025**.

Drainage



15. Prior to commencement, drainage drawings setting out the drainage strategy for the site to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The drainage drawings must show:

- a) All drainage (including surface drainage) directed to a suitable location on the land;
- b) Detail of the required outfall drain connection to stormwater infrastructure;
- c) Cross sections including details of retaining walls;
- d) Measures to ensure the discharge of water from the property is controlled around its limits to prevent any discharge onto any adjacent property;
- e) All retaining walls built with durable materials; and
- f) Any calculations and investigations necessary to demonstrate the performance of the drainage system.

Site Environmental Management Plan (SEMP)

16. Prior to the commencement of any works, including roadworks, a Site Environmental Management Plan (SEMP) for each stage must be prepared in accordance with the Council Specification Series, Construction, in particular Section 211 Control of Erosion and Sedimentation; 212 Clearing and Grubbing and 213 Earthworks and submitted to the Responsible Authority. Once approved the plans will be endorsed and will form part of the Permit and then must be adhered to, all to the satisfaction of the Responsible Authority. The SEMP must show as appropriate:

- a) The goals and objectives of the SEMP;
- b) A Vegetation Management Plan that provides the details of management, protection and rehabilitation of vegetation to be retained;
- c) Measures to be taken to ensure minimal disturbance to native flora and fauna, including the provision of buffers;
- d) Erosion, siltration, dust, run-off and litter controls during construction;
- e) Indicate all provisions into and throughout the site by vehicles, including waste collection vehicles;
- f) Detail methods of restricting site access to pedestrians and vehicles not related to works permitted under this permit;
- g) Detail the method of protecting the reserve areas to be vested in the Council until such time as the reserve is developed; and
- h) Any other matters as required by the Responsible Authority.

Construction Management Plan

17. Prior to the commencement of any works including roadworks, a Construction Management Plan must be submitted to and approved by the City of Greater Dandenong. The Construction Management Plan must address all stages of the development, but is not limited to:

- a) Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
- b) All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
- c) The location of all areas on-site and off-site to be used for construction staff parking;
- d) A Parking Management Plan for all associated construction vehicles;
- e) All site sheds, portable toilet, storage and materials, etc. must be confined to the land;
- f) The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;
- g) A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways;
- h) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;
- i) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;

- j) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land; and
- k) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system.

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

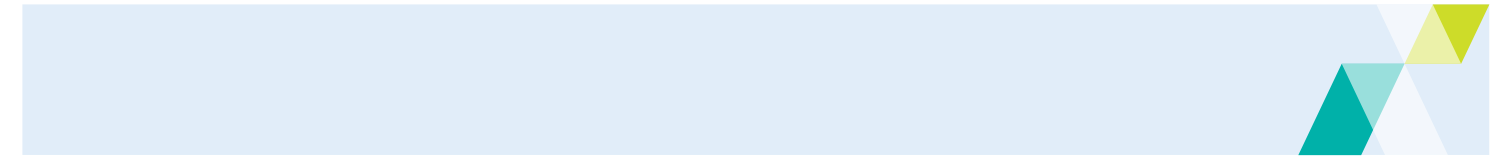
18. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
19. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; and
 - c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Environmental Audit

20. **Prior to the commencement of the use or buildings and works associated with the use for 198 Chapel Road (or the certification or issue of a statement of compliance under the Subdivision Act 1988) the permit holder must provide:**
 - a) **An environmental audit statement under Part 8.3, Division 3 of the Environment Protection Act which states that 198 Chapel Road is suitable for the use and development allowed by this permit, or**
 - b) **An environmental audit statement under Part 8.3, Division 3 of the Environment Protection Act which states that 198 Chapel Road is suitable for the use and development allowed by this permit if the recommendations made in the statement are complied with.**
21. **The use and development of the 198 Chapel Road must comply with the recommendations of the Statement of Environmental Audit for the site dated 24 May 2022.**
22. The use and development of **182 Chapel Road** must comply with the recommendations of the Statement of Environmental Audit for the site dated 24 May 2022.
23. Prior to the occupation of each stage of development, a letter prepared by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority, must be submitted to the Responsible Authority to verify that the recommendations contained within the Statement have been satisfied. Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.

Affordable Housing

24. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
 - a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.



b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

25. The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

Head Transport for Victoria

26. Before the commencement of the access works on Chapel Road, the bus stop and shelter and any associated infrastructure located to Chapel Road must be relocated at no cost to and to the satisfaction of the Head, Transport for Victoria and compliant with the Disability Discrimination Act 1992 (Cth) and the Disability Standards for Accessible Public Transport 2002.

General

27. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.

28. Prior to the occupation of each stage of the development, external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways must be provided. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.

29. Prior to the occupation of each stage of the development, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.

30. Prior to the occupation of each stage of the development, all landscaping shown on the endorsed landscape plan must be completed to the satisfaction of the Responsible Authority.

31. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.

32. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Responsible Authority.

33. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority. Approval of drainage plan including any retention system within the property boundary is required.

34. Except with the prior written consent of the Responsible Authority, service units, including air conditioning/heating units, must not be located on any of the balcony areas unless visually and acoustically screened to the satisfaction of the Responsible Authority.

35. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.

36. At all times, the landscaping must be maintained in good order in accordance with the endorsed landscape plan and schedule to the satisfaction of the Responsible Authority.

Cultural Heritage Condition

37. Activities carried out on the subject land must comply with the approved Cultural Heritage Management Plan Notice of Approval for all stages on plan number 17034 dated the 22 June 2021 and approved 12 July 2021 **and the approved Cultural Heritage Management Plan Notice of Approval for all stages on Plan number 20286 dated 3 September 2025 and approved 22 September 2025.**



Public Open Space

38. The areas shown as public open space (including tree reserves and the central linear park) on Overall Ground floor Plan (Compliance), DA09, dated November 2025, are recognised as the public open space contribution to satisfy on-site open space requirements and must be available for use by the public at all times despite being owners corporation land within the development. This open space represents the 10.2% open space required to be provided on 182 Chapel Road and the 8.6% on the 198 Chapel Road in accordance with the Keysborough South Development Plan.
39. Prior to the commencement of the development, including subdivision of any part of the land, the owner must enter into an agreement pursuant to s.173 of the Planning and Environment Act 1987, which provides inter alia, as follows:
- The owner must ensure that the public open space areas identified on Overall Ground Floor Plan (Compliance), DA09 dated November 2025, are available for public use at all times; and
 - Are planted and maintained by the owner in accordance with the endorsed plan.

Commencement

40. This permit will operate from the issued date of this permit.

Expiry - use and development

41. This permit will expire if one of the following circumstances apply:
- a) The development or any stage of it is not started within 3 years of the issued date of this permit.
 - b) The development or any stage of it is not completed within 5 years of the issued date of this permit.
42. In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

Recommendation



98. The amended proposal is generally consistent with the relevant planning policies of the **Dandenong** Planning Scheme and will contribute to the provision of **affordable housing** within the **Keysborough** area.
99. The proposal is generally supported by Head Transport for Victoria as a referral agency.
100. It is **recommended** that Planning Permit No. **PA2503744** for the **construction of 250 dwellings** at **182 Chapel Road and 192 Chapel Road**, Keysborough be issued subject to conditions.
101. It is **recommended** that the applicant and the council be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: Cath te Lintelo

Title: Senior Planner, Development Assessment

Phone:

Signed:

Dated: 27 March 2026

Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: Grant Logan

Title: Manager, Development Approvals and Design

Phone:

Signed:

Dated: 2 April 2026

Appendix 1: Clause 55 Assessment



The following tables comprise an assessment of the proposed dwellings against clause 55 of the planning scheme.

Neighbourhood and site description

Clause 55.01-1	Assessment
<ul style="list-style-type: none"> • <i>The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:</i> <ul style="list-style-type: none"> ○ <i>In relation to the neighbourhood:</i> <ul style="list-style-type: none"> - <i>The pattern of development of the neighbourhood.</i> - <i>The built form, scale and character of surrounding development including front fencing.</i> - <i>Architectural and roof styles.</i> - <i>Any other notable features or characteristics of the neighbourhood.</i> ○ <i>In relation to the site:</i> <ul style="list-style-type: none"> - <i>Site shape, size, orientation and easements.</i> - <i>Levels of the site and the difference in levels between the site and surrounding properties.</i> - <i>The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.</i> - <i>The use of surrounding buildings.</i> - <i>The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.</i> - <i>Solar access to the site and to surrounding properties.</i> - <i>Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.</i> - <i>Any contaminated soils and filled areas, where known.</i> - <i>Views to and from the site.</i> - <i>Street frontage features such as poles, street trees and kerb crossovers.</i> - <i>The location of local shops, public transport services and public open spaces within walking distance.</i> - <i>Any other notable features or characteristics of the site.</i> • <i>If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.</i> <p>Satisfactory neighbourhood and site description</p> <ul style="list-style-type: none"> • <i>If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.</i> • <i>The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.</i> • <i>This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.</i> 	<p>Complies</p>

Design response

Clause 55.01-2	Assessment
<ul style="list-style-type: none"> • <i>The design response must explain how the proposed design:</i> <ul style="list-style-type: none"> ○ <i>Derives from and responds to the neighbourhood and site description.</i> ○ <i>Meets the objectives of Clause 55.</i> ○ <i>Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.</i> 	<p>Complies</p>



- If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls.
- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

Neighbourhood character objectives

Street setback objectives

Clause 55.02-1	Assessment	
Objectives <ul style="list-style-type: none"> • To ensure that the setbacks of a buildings form a street respond to the existing or preferred neighbourhood character and make efficient use of the site. 	Complies	
Standard B2-1 Walls of buildings are set back from streets: <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone if the distance specified in Table B2-1; or • If no distance is specified in a schedule to the zone, the distance specified in Table B2-1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.	Dwellings are set back from Chapel Road, and there is variation within the front setbacks within the development to create a new neighbourhood character for the development area.	
Table B2-11 Street setback		
Development Context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
<i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i>	<i>The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser.</i>	Not applicable
<i>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</i>	<i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</i>	Not applicable
<i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i>	<i>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i>	Not applicable
<i>The site is on a corner.</i>	<i>If there is a building on the abutting</i>	<i>Front walls of new development</i>



	<p><i>allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</i></p> <p><i>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i></p>	<p><i>fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i></p> <p><i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i></p>
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Building height objectives

Clause 55.02-2	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> <i>To ensure that the height of buildings respond to the existing or preferred neighbourhood character.</i> 	<p>Complies</p>
<p>Standard B2-2</p> <ul style="list-style-type: none"> <i>The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</i> <i>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross-section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.</i> 	<p>The development has a maximum building height of 7.6m. This is within the 11m or 3 storey height allowable under the zone.</p>

Side and rear setbacks objective

Clause 55.02-3	Assessment
<p>Objective</p> <ul style="list-style-type: none"> <i>To ensure that the height and setback of a building from a boundary responds the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.</i> 	<p>Complies</p>
<p>Standard B2-3</p> <ul style="list-style-type: none"> <i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</i> 	<p>The development complies with the standard and all setbacks from property boundaries exceed the minimum requirements.</p>



- *Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:*
 - *B2-3.1:
The building is setback at least 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.*
 - *B2-3.2
If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.*
- *Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.*
- *Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.*

Walls on boundary objective

Clause 55.02-4	Assessment
Objective <ul style="list-style-type: none"> • <i>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 and small second dwellings.</i> 	N/A
Standard B2-4 <ul style="list-style-type: none"> • <i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot does not abut the boundary for a length that exceeds the greater of the following distances:</i> <ul style="list-style-type: none"> - <i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i> - <i>The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.</i> • <i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i> • <i>A building on a boundary includes a building set back up to 200mm from a boundary.</i> • <i>The height of a new wall constructed on or within 200mm 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.</i> 	No walls are proposed to be built on boundaries with adjoining properties.

Site coverage objective

Clause 55.02-5	Assessment
Objective <ul style="list-style-type: none"> • <i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i> 	Complies



Standard B2-5

- The site area covered by buildings should not exceed:
 - The maximum site coverage specified in a schedule to the zone; or
 - If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.
- If the maximum site coverage is specified in a schedule to the zone, it must be greater than the percentage specified in Table B2-5.

The proposed site coverage is 41.4% easily meeting the standard.

Table B2-5 Site Coverage

Zone	Area
Neighbourhood Residential Zone	60 per cent
Township Zone	
General Residential Zone	65 per cent
Residential Growth Zone Mixed Use Zone Housing Choice and Transport Zone	70 per cent

Access objective

Clause 55.02-6	Assessment
Objectives <ul style="list-style-type: none"> • To ensure the number and design of vehicle crossovers responds to the neighbourhood character. 	Complies
Standard B2-6 <ul style="list-style-type: none"> • The width of accessways or car spaces (other than to a rear lane) does not exceed: <ul style="list-style-type: none"> ○ 33 per cent of the street frontage, or ○ 40 per cent of the street frontage if the width of the street frontage is less than 20 metres. • The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased. • The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent. 	The site is provided with only one vehicle access for the entire development. Within the development the number of crossovers has been reduced through the combining of driveways which allows space for on street parking opportunities.

Tree canopy objective

Clause 55.02-7	Assessment						
Objective <ul style="list-style-type: none"> • To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings the streetscape. • To preserve existing canopy cover and support the provision of new canopy cover. • To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat. 	Complies with the objective						
Standard B2-7 <ul style="list-style-type: none"> • Provide a minimum canopy cover as specified in Table B2-7.1. <div style="text-align: center;"> <p>Table B2-7.1</p> <table border="1"> <thead> <tr> <th>Site area</th> <th>Canopy cover</th> </tr> </thead> <tbody> <tr> <td>1000 square metres or less</td> <td>10% of the site area</td> </tr> <tr> <td>More than 1000 square metres</td> <td>20% of the site area</td> </tr> </tbody> </table> </div> <ul style="list-style-type: none"> • Existing trees to be retained meet all the following: <ul style="list-style-type: none"> ○ Has a height of at least 5 metres, 	Site area	Canopy cover	1000 square metres or less	10% of the site area	More than 1000 square metres	20% of the site area	<p>The amended development is provided with a landscape masterplan which includes the provision of new trees throughout the new public open spaces, new street trees and SPOS areas have the capacity for canopy trees to be planted.</p> <p>In addition to the new tree reserves along Chapel Road and the retention of the tree reserve with established</p>
Site area	Canopy cover						
1000 square metres or less	10% of the site area						
More than 1000 square metres	20% of the site area						



- Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
- Has a trunk that is located at least 4 metres from proposed buildings.
- The minimum canopy cover is met using any combination of trees specified in Table B2-7.2
- Existing trees that are retained can be used in calculating canopy cover.

trees along the western boundary with the golf course.

Table B2-7.2 Tree type, canopy cover, deep soil planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 metres	6 metres	12.6 sqm	12 cubic metres (min. plan dimensions 2.5 metres)	12 cubic metres (min. plan dimensions 2.5 metres)	0.8 metre
B	8 metres	8 metres	50.3 sqm	49 cubic metres (min. plan dimensions 4.5 metres)	28 cubic metres (min. plan dimensions 4.5 metres)	1 metre
C	12 metres	12 metres	131.1 sqm	121 cubic metres (min. plan dimensions 6.5 metres)	64 cubic metres (min. plan dimensions 6.5 metres)	1.5 metre

- Provide at least one new or retained tree in the front setback and the rear setback.
- Trees are located in either:
 - An area of deep soil as specified in Table B2-7.2; or
 - A planter as specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

Front fences objective

Clause 55.02-8	Assessment
Objective <ul style="list-style-type: none"> • To encourage front fence design that responds to the existing or preferred neighbourhood character. 	Complies No front fencing is proposed within the development.
Standard B2-8 <ul style="list-style-type: none"> • A front fence within 3 metres of a street is: <ul style="list-style-type: none"> ○ The maximum height specified in a schedule to the zone, or ○ If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8. 	

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres



Liveability

Dwelling diversity objective

Clause 55.03-1	Assessment
Objective <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Variation acceptable
Standard B3-1 <ul style="list-style-type: none"> Developments include at least: <ul style="list-style-type: none"> One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at round floor level for every 10 dwellings. One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings. One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings. 	<p>There is a dwelling mix which includes dwellings with ground floor bedroom, bathroom and living areas.</p> <p>The majority of the dwellings are 3 and 4-bed dwellings but there are 2-bed variations in addition which overall will provide long-term outcomes for future residents.</p>

Parking location objectives

Clause 55.03-2	Assessment
Objectives <ul style="list-style-type: none"> To minimise the impact of vehicular noise within developments on residents. 	Complies
Standard B3-2 <ul style="list-style-type: none"> Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least: <ul style="list-style-type: none"> 1.5 metres; or If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or 1 metre where window sills are at least 1.5 metres above ground level. This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room. 	All dwellings are provided with a garage, garages have been positioned to be adjacent to share driveways.

Street integration objectives

Clause 55.03-3	Assessment
Objectives <ul style="list-style-type: none"> To integrate the layout of development with the street to support the safety and amenity of residents. 	Meets the objective
Standard B3-3 <ul style="list-style-type: none"> Where a development fronts a street, a vehicle accessway or abuts public open space: <ul style="list-style-type: none"> Passive surveillance is provided by a direct view from a balcony or a habitable room windows to each street, vehicle accessway and public open space. The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency. Lighting is provided to all external accessways and paths. Mailboxes are provided for each dwelling and can be communally located. 	The majority of the dwellings face the new street network and provide passive surveillance of the public open spaces.



Entry objective

Clause 55.03-4	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To provide each dwelling, apartment development or residential building with its own sense of identity. To provide entries with weather protection, safe design, natural light and ventilation. 	<p>Complies – subject to conditions</p>
<p>Standard B3-4 Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</p> <ul style="list-style-type: none"> Each dwelling and each residential building has a ground level entry door that: <ul style="list-style-type: none"> Has a direct line of sight from a street, accessway or shared walkway. Is not accessed through a garage. Has an external covered area of at least 144 square metres with a minimum dimension of at least 1.2 metres over the entry door. <p>Apartment development and residential building with a shared entry</p> <ul style="list-style-type: none"> An apartment development and each residential building has: <ul style="list-style-type: none"> A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway. An external covered area of at least 144 square metres with a minimum dimension of at least 1.2 metres over the entry door of the building. Shared corridors and common areas have at least one source of natural light and natural ventilation. 	<p>The majority of the dwellings have a side light window adjacent to the front door, however dwellings 11-20 do not have the frontage to allow for this and will be conditioned to have front doors which include clear glazing allowing views to street and front entry.</p>

Private open space objective

Clause 55.03-5	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Complies</p>
<p>Standard B3-5</p> <ul style="list-style-type: none"> A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of: <ul style="list-style-type: none"> An area of 25 square metres of secluded private open space with a minimum dimension of 3 metres width; A balcony with at least the area and dimensions specified in Table 3-5; or An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width. If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone; <ul style="list-style-type: none"> The area and dimensions specified in the schedule must be 25 square metres or less; and The area and dimension specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard. 	<p>Each dwelling is provided with a minimum ground floor SPOS area of 25sqm, meeting the standard.</p>



- If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.
- Where ground level private open space is provided an area for clothes drying is provided.

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 bedroom dwelling	12 square metres	2.4 metres

Solar access to open space objective

Clause 55.03-6	Assessment
Objective <ul style="list-style-type: none"> • To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Variation required Dwellings 199 to 215 have south facing rear yards and require a variation to the standard. The depth of the SPOS areas associated with these dwellings does not meet the standard with the southern boundary being less than the required distance. 63 dwellings out of 250 require the variation, overall, the limited number of dwellings affected is minor and an acceptable variation.
Standard B3-6 <ul style="list-style-type: none"> • The southern boundary of secluded private open space is 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. 	

Functional layout objective

Clause 55.03-7	Assessment
Objectives <ul style="list-style-type: none"> • To ensure dwellings provide functional areas that meet the needs of residents. 	Variation -acceptable The dwellings are provided with a mix of bedroom sizes, not all meeting the minimum size. However, the majority of the bedrooms not meeting the minimum size are 2.8m x 3.0m. This still allows for an acceptable internal amenity for the future residents.
Standard B3-7 <ul style="list-style-type: none"> • Bedrooms: <ul style="list-style-type: none"> ○ Meet the minimum internal room dimensions specified in Table B3-7.1; and ○ Provide an additional area of at least 0.8 square metres to accommodate a wardrobe. 	

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres



- Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Room depth objective

Clause 55.03-8	Assessment
Objective <ul style="list-style-type: none"> • To allow adequate daylight into single aspect habitable rooms. 	Complies Single aspect rooms have room depths which comply with the standard. Kitchens are located to the rear of the rooms ensuring that living spaces receive good light.
Standard B3-8 <ul style="list-style-type: none"> • The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room. <ul style="list-style-type: none"> ○ The room combines the living area, dining area and kitchen; and ○ The kitchen is located furthest from the window; and ○ The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and ○ An overhang extends no more than 2m beyond the window of the single aspect habitable room. • In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall. 	

Daylight to new windows objective

Clause 55.03-9	Assessment
Objective <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	Complies All dwellings have windows located in an external wall with good access to light. No bedrooms or living areas rely on borrowed light.
Standard B3-9 Dwelling (other than a dwelling in or forming part of an apartment development) <ul style="list-style-type: none"> • A window in an external wall of the building is provided to all habitable rooms. • Habitable rooms in a dwelling have a window that faces: <ul style="list-style-type: none"> ○ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or ○ A verandah provided it is open for at least 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. 	
Dwelling in or forming part of an apartment development	



- A window in an external wall of the building is provided to all habitable rooms.
- Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:
 - A minimum width of 1.2 metres.
 - A maximum depth of 1.5 times the width, measured from the external surface of the window.
 - A window clear to the sky.

Natural ventilation objectives

Clause 55.03-10	Assessment
Objectives <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. 	Complies
Standard B3-10 Dwelling (other than a dwelling in or forming part of an apartment development) <ul style="list-style-type: none"> • Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide; <ul style="list-style-type: none"> ○ A maximum breeze path through the dwelling of 18 metres. ○ A minimum breeze path through the dwelling of 5 metres. ○ Ventilation openings with approximately the same area. • The breeze path is measured between the ventilation openings on different orientations of the dwelling. Dwelling in or forming part of an apartment development <ul style="list-style-type: none"> • At least 40 percent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: <ul style="list-style-type: none"> ○ A maximum breeze path through the dwelling of 18 metres. ○ A minimum breeze path through the dwelling of 5 metres. ○ Ventilation openings with approximately the same area. • The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	The dwellings are provided with openable doors and windows at both ground and upper levels.

Storage objective

Clause 55.03-11	Assessment
Objectives <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling. 	Complies
Standard B3-11 Dwelling (other than a dwelling in or forming part of an apartment development)	Each dwelling has been provided with a minimum of 6m ³ in the garages. In addition, each dwelling has a SPOS area in which they could instal additional external storage.



- Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

- Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Accessibility for apartment developments objective

Clause 55.03-12	Assessment									
<p>Objective</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility. 	N/A									
<p>Standard B3-12</p> <ul style="list-style-type: none"> • At least 50 per cent of dwellings in or forming part of an apartment development have: <ul style="list-style-type: none"> ○ A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. ○ A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. ○ A main bedroom with access to an adaptable bathroom. ○ At least on adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12. 										
<table border="1"> <caption>Table B3-12 Bathroom design</caption> <thead> <tr> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening.</td> <td>A clear 820mm wide door opening located opposite the shower.</td> </tr> <tr> <td>Door design</td> <td> Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td> <td> Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards and has readily removable hinges. </td> </tr> </tbody> </table>			Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards and has readily removable hinges.
	Design option A	Design option B								
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.								
Door design	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards and has readily removable hinges. 								



Circulation area	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> ■ A minimum area of 1.2 metres by 1.2 metres. ■ Located in front of the shower and the toilet. ■ Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> ■ A minimum width of 1 metre. ■ The full length of the bathroom and a minimum length of 2.7 metres. ■ Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>	
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.	
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.	

External Amenity

Daylight to existing windows objective

Clause 55.04-1	Assessment
<p>Objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into existing habitable room windows. 	Complies
<p>Standard B4-1</p> <ul style="list-style-type: none"> • 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. 	There are no proposed new buildings opposite existing habitable room windows of adjoining properties.

Existing north-facing windows objective

Clause 55.04-2	Assessment
<p>Objective</p> <ul style="list-style-type: none"> • To allow adequate solar access to existing north-facing habitable room windows. 	Complies
<p>Standard B4-2</p> <ul style="list-style-type: none"> • Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot: <ul style="list-style-type: none"> ○ A new 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 	The proposed amended development is not within 3 metres of a boundary and will not affect any north facing windows of adjoining properties.



- metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For this standard a north facing window is a window with an axis perpendicular to its surface orientated from north 20 degrees west to north 30 degrees east.

Overshadowing secluded open space objective

Clause 55.04-3	Assessment
Objective <ul style="list-style-type: none"> • To ensure buildings do not significantly overshadow existing secluded private open space. 	Complies The overshadowing from the development is predominantly contained within the shadow created by the existing conditions and meets the standard.
Standard B4-3 <ul style="list-style-type: none"> • The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September. • If existing sunlight to the secluded private open space of an existing dwelling or a small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced. 	

Overlooking objective

Clause 55.04-4	Assessment
Objective <ul style="list-style-type: none"> • To limit views into existing secluded private open space and habitable room windows. 	Complies Dwelling 250 is provided with upper level windows that will have overlooking opportunities into the adjoining property to the south. The windows are bedroom windows and therefore are not required to be screened.
Standard B4-4 <ul style="list-style-type: none"> • In Clause 55.04-4 a habitable room does not include a bedroom. • 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: <ul style="list-style-type: none"> ○ Offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or ○ Has sill heights of at least 1.7 metres above floor level; or ○ Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level. ○ Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. ○ Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. 	



- *Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.*
- *Screens used to obscure a view are:*
 - *Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.*
 - *Permanent, fixed and durable.*
 - *Designed and coloured to blend in with the development.*
- *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 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.*

Internal views objective

Clause 55.04-5	Assessment
Objective <ul style="list-style-type: none"> • <i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i> 	Complies Dwellings have been designed to reduce overlooking from habitable rooms.
Standard B4-5 <ul style="list-style-type: none"> • <i>In Clause 55.04-5 a habitable room does not include a bedroom.</i> • <i>Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:</i> <ul style="list-style-type: none"> ○ <i>Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or</i> ○ <i>Has a sill height of at least 1.7 metres above floor level; or</i> ○ <i>Has a fixed, visually obscure balustrade to at least 1.7 metres above floor level; or</i> ○ <i>Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</i> • <i>Direct views are managed at a height of 1.7 metres above floor level and within:</i> <ul style="list-style-type: none"> ○ <i>A 45 degree horizontal angle from the edge of the new window or balcony.</i> ○ <i>A 45 degree angle in the downward direction.</i> • <i>Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.</i> 	

Sustainability

Permeability and stormwater management objective

Clause 55.05-1	Assessment
Objectives <ul style="list-style-type: none"> • <i>To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.</i> • <i>To facilitate on-site stormwater infiltration.</i> • <i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i> • <i>To contribute to urban cooling.</i> 	Complies The development exceeds the minimum requirement of 20% permeability by providing 33% of the site as permeable. The application included a STORM report as part of the SMP documentation.
Standard B5-1 <ul style="list-style-type: none"> • <i>The site area covered by the pervious surfaces is at least 20 percent of the site.</i> • <i>The development includes a stormwater management system designed to:</i> 	



- Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
 - Litter 70% reduction of mean annual load.
- 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.

Note:

A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective – Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.

Overshadowing domestic solar energy systems objective

Clause 55.05-2	Assessment
Objectives <ul style="list-style-type: none"> • To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings. 	Complies The new development is set back from boundaries with adjoining residential properties and will not affect any domestic solar system on adjacent properties.
Standard B5-2 <ul style="list-style-type: none"> • Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every meter of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. • This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone. • In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged. 	

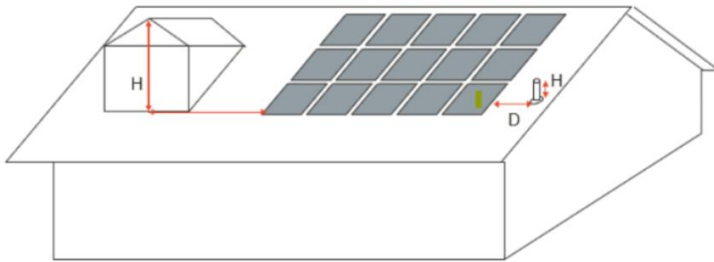
Rooftop solar energy generation area objective

Clause 55.05-3	Assessment
Objectives <ul style="list-style-type: none"> • To support the future installation of appropriately sited rooftop solar energy systems for a dwelling. 	Complies The development will have the capacity for future roof top solar on all dwellings to meet this standard.
Standard B5-3 <ul style="list-style-type: none"> • In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system. • An area on the roof is capable of siting on a rooftop solar energy area for each dwelling which: <ul style="list-style-type: none"> ○ Has a minimum dimension of 1.7 metres. ○ Has a minimum area in accordance with Table B5-3 	



- Is orientated to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas
- Is free from obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area



- Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table B5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres
4 or more bedroom dwelling	34 square metres

Solar protection to new north-facing windows objective

Clause 55.05-4	Assessment
Objective <ul style="list-style-type: none"> • To encourage external shading of north facing windows to minimise summer heat gain. 	Variation acceptable



Standard B5-4

- *North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.*

The proposal has been assessed and a Sustainable Management Plan has been included as part of the application documents. The assessment confirms that the development meets best practice under BESS and has an average NatHERS rating of 7 stars.

Waste and recycling objectives

Clause 55.05-5

Objectives

- *To ensure dwellings are designed to facilitate waste recycling.*
- *To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.*
- *To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.*

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

- *The development includes an individual bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.*

Table B5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

- *If the development includes a shared bin storage area:*
 - *The shared bin storage area:*
 - *Is located within 40 metres of a kerbside collection point.*
 - *Includes a tap for bin washing.*
 - *There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.*
- *Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.*
- *Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.*

Dwelling in or forming part of an apartment development

Assessment

Complies

All dwellings have the capacity for bins to be located within the garage or in SPOS areas meeting the standard.



- *The development includes a shared bin storage area for by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.*

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area.	1 metre	2.7 metres

- *Enclosed bin storage areas are ventilated by:*
 - *Natural ventilation openings to the external air with an area of at least 5 per cent of the area for the bin storage area; or*
 - *A mechanical exhaust ventilation system.*
- *A tap and drain is provided to wash bins.*
- *A continuous path of travel is provided from each dwelling to bin storage areas.*
- *Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.*

Noise impacts objective

Clause 55.05-6	Assessment
Objectives <ul style="list-style-type: none"> • <i>To minimise the impact of mechanical plant noise located in the development.</i> 	Complies
Standard B5-6 <ul style="list-style-type: none"> • <i>Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.</i> 	The dwellings will not be adversely affected by mechanical plant noise.

Energy efficiency for apartment development objectives

Clause 55.05-7	Assessment
Objectives <ul style="list-style-type: none"> • <i>To achieve energy efficient dwellings and buildings.</i> • <i>To ensure dwellings achieve adequate thermal efficiency.</i> 	N/A
Standard B5-7 <ul style="list-style-type: none"> • <i>Dwellings in or forming part of an apartment development located in a climate zone identified Table B5-7 do not exceed the maximum NatHERS annual cooling load.</i> 	



NATHERS climate zone	NATHERS maximum cooling load MJ/M² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note:

- Refer to *NatHERS zone map, Nationwide House Energy Rating Scheme* (Commonwealth Department of Environment and Energy).

Appendix 2: City of Dandenong referral advice.

Councils' comments	DTP Comment
<p>Objection</p> <p><i>The proposed single non-signalised connection point to Chapel Road providing access for 250 dwellings is not supported and will cause road management and safety issues in the future. The allocation of any road within the development as a public road will not be supported.</i></p> <p><i>The vesting of any of the public open space areas within the development for Council to manage in perpetuity is also not supported.</i></p> <p><u><i>Therefore, any future planning application for subdivision of the land will not be supported if:</i></u></p> <ul style="list-style-type: none"><i>the current access arrangements are maintained or</i><i>public open space areas are proposed to be vested to Council.</i> <p><u><i>In addition, should Council's Transport Engineering significant concerns not be appropriately addressed. Council may be required to reject any access proposals under the Road Management Act 2004.</i></u></p>	<p>The main entrance is proposed to be a Council road as agreed to in VCAT compulsory conference and approved under previous permit, all remaining internal roads are proposed to be private roads within the development.</p> <p>The application was referred to Head Transport for Victoria who made no objection to the access arrangements as long as the bus stop is moved to ensure unrestricted access.</p> <p>Council previously agreed to the access point as demonstrated in the permit issued by council at the direction of VCAT. This road access was agreed to by Council at the compulsory conference.</p>
<p>Road layout, access and car parking</p> <p><i>The proposed road layout including one public road connecting to a non-signalised access point to Chapel Road is not supported. The traffic volumes associated with a development of 250 dwellings will require a signalised intersection to connect to Chapel Road.</i></p> <p><i>An altered signalised intersection at Homeleigh Road should be provided to more appropriately manage the expected traffic volumes from the development, rather than one non-signalised connection point to Chapel Road.</i></p> <p><i>The amended proposal will also result in significant traffic pressure within the surrounding road network and traffic congestion due to only one non-signalised connection to Chapel Road proposed for the whole combined development. Council is not supportive of the proposed design of the public road and associated court bowl and access from Chapel Road as this will cause future road management issues and significant safety issues within the precinct</i></p> <p><u><i>Please note that if Council's Transport Engineers significant concerns are not taken onboard in the assessment of the development proposal or either the proposed access to the development is not amended or conditions are not placed on the permit to address Council's significant concerns, under the Road Management Act. Council may be required to reject any road access works that will affect public roads under safety grounds.</i></u></p> <p>Should DTP progress the application to a decision for approval Council would strongly advocate for conditions to be placed on any permit to be issued addressing these concerns (see Transport Planning referral section below).</p>	<p>The broader road network providing access to housing development to the east of Chapel Road, do not have signalised intersections apart from Homeleigh Road and provide road access for similar extent of housing.</p> <p>It should be noted that Homeleigh Road provides access to Keysborough Gardens Primary school and the signalised crossing allows for safe pedestrian passage.</p> <p>The application was referred to HTV under Clause 66.02-11 as a determining referral authority as the application is greater than 60 or more dwellings or lots.</p> <p>HTV did not object to the additional dwellings accessing Chapel Road via the single entrance subject to the existing bus stop and shelter being moved.</p>
<p>Public open space</p> <p><i>All the proposed reserve areas will need to be privately managed by the Owners' Corporation and cash contribution will be required to be paid to Council instead of the vesting of public open space to Council.</i></p>	<p>The proposal provides a combined total of 5881 m² which is distributed throughout the site with various reserves located within the site and along Chapel Road, which are all publicly available.</p> <p>The applicants have confirmed that they will be maintained by the body corporate and conditions will be included in the amended permit to confirm this arrangement.</p>
<p>Clause 55 Assessment</p> <p><i>The proposed amendment has numerous non-compliances with the Townhouse and Low-rise Code provisions.</i></p>	<p>There are some non-compliances with the Code, however the variations are acceptable and all dwellings will provide</p>



The minimum Standards of the Townhouse and Low-Rise Code were designed to set basic but important standards for good development. For a development of this size and density, these non-compliances demonstrates that the specified standards for good development in the Code cannot be achieved and the proposal would not provide a suitable level of internal or external amenity for future residents.

The proposal is a significant over-development of the combined site.

Future Subdivision

As per previous comment, any future planning application to subdivide the land must include only private roads and all public open space areas to be managed by the Owner's Corporation.

a planning application to subdivide any part of the land which includes the provision of any public roads, proposed access or the vesting of public open space areas to Council for their maintenance in perpetuity will not be supported.

Asset Planning – Objection

Further Information Required

- *A stormwater management plan is required to be provided to demonstrate how stormwater and overland flow will be managed for the proposed development.*
- *A hydraulic modelling report is required to be provided to assess the 1% Annual Exceedance Probability (AEP) flood levels, incorporating the impacts of climate change. The report must include afflux mapping for Chapel Road (eastern site boundary) and the adjoining southern property.*

Civil Development/Stormwater Management – Objection

The proposal fails to provide information regarding stormwater management, drainage and any associated earthworks plan.

Additional comments

The development has probability of flooding from Melbourne water's drainage system. Melbourne water's referral is required.

Strategic Planning – Objection

The public open space areas are to be privately managed and not vested to council as part of any future subdivision application. Cash contributions will be required to be paid to Council instead.

Sustainability

Further information required

an acceptable internal amenity for future residents. These have been addressed previously in the report.

Noted.

The proposal has taken into account that public open space which will be maintained by the body corporate.

Permit conditions will be included to ensure these public open space areas will be maintained by the body corporate but remain accessible to the broader public.

Noted:

Council's concerns have been noted, the SMP provides details on measures to mitigate and disperse the stormwater from the site.

In addition, drainage plans will be required as part of the building permit process, these plans will be required to be submitted to council's drainage engineers for approval.

Disagree:

The development will be required to provide stormwater plans to council as part of the building permit. The information submitted demonstrates the development will meet the standards required.

The site is not designated flood prone through the provision of an LSIO or SBO and therefore there is no requirement to refer to Melbourne Water on the probability of the site flooding.

The applicants have confirmed that they will continue to manage the public open space and it not fall to council for maintenance.

Disagree:

The development provides a BESS report which achieves a score of 62% which exceeds the minimum best practice of 50%, in addition to the NatHERS assessment which achieves a minimum of 7-stars.



The application does not yet satisfy Council's expectations for environmental sustainability as insufficient detail has been provided in the submitted Sustainability Management Plan (SMP), includes a preliminary residential NatHERS rating and Whole of Home assessment to achieve a minimum energy rating of 7-stars for each dwelling.

A stormwater management report is also required to demonstrate the proposed water quality performance will satisfy Best Practice Environmental Management Guidelines for Stormwater (CSIRO1999)

It is understood that the applicant is working directly with Melbourne Water regarding stormwater management of the proposed development. Once agreed with Melbourne Water, further details of the proposed stormwater management strategy should be included in the updated SMP, including the outputs of an appropriate stormwater modelling tool such as MUSIC. The report must include maintenance requirements of the proposed stormwater quality systems including maintenance requirements and frequency of maintenance,

Transport Planning

Objection

Council advises that an altered set of signals at Homeleight Road is the optimal outcome for the development and the provision of 250 dwellings. The proposed standalone access point will reduce road safety and increase congestion due to the expected traffic volumes of a development of this size.

Council's calculations regarding traffic volumes and those identified in the submitted Traffic and Transport Assessment significantly differ. The traffic volumes outlined in the submitted Traffic and Transport Assessment are considerably lower than Council's calculations and it is considered that the Traffic and Transport Assessment prepared by Impact Traffic Engineering do not accurately represent the numbers of vehicles utilising the road network associated with the development.

The amended proposal will have significant negative traffic and safety impact within the development and within the surrounding road network.

Council's Transport Department are willing to discuss the significant concerns regarding access with DTP and the applicant to resolve this matter. However, should DTP not wish to engage with Council's Transport Department on these concerns and are minded to grant an amended permit the following Conditions **must** be placed on any amended permit to be issued.

Proposed Conditions:

1. Prior to the endorsement of plans amended plans must be submitted to the satisfaction of and approved by the Responsible Authority. The amended plans must:
 - a) Incorporate any amendments or recommendations of the amended Traffic Impact Assessment.

2. Prior to the endorsement of an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the Responsible Authority. The amended TIA must include:
 - a) An Assessment of alternative access arrangement to the site from Chapel Road and selection of an access arrangements to the site from Chapel Road and selection of an access arrangement providing the highest performing outcome. This assessment must consider pedestrian, vehicular and cyclist movements and road safety when accessing the development and the impacts on the surrounding road network. The amended assessment must include consideration of:

Noted;

Council's traffic concerns are noted, Council is not a determining referral authority and therefore the conditions are not required to be included.

The application was submitted to Head Transport for Victoria for comment as a determining referral authority who did not object to the application and did not require any additional conditions to be applied for access, however did provide conditions for the location of the bus stop.



- i. *Signalised access at the existing signals on Chapel Road.*
- ii. *The provision of multiple access points.*
- b) *An assessment of traffic impact using a traffic generation rate suitable to dwellings within areas of new residential development / subdivision with low access to public transport.*
- c) *A review of all internal road cross sections and access arrangements in line with any amendments to, or recommendations of the Traffic Impact Assessment.*

Waste services – no objection (subject to minor revisions)

A private waste collection can be approved for this development but there are concerns with the proposed Waste Management Plan regarding hard waste collection. The waste management Plan should be amended to require the provision of a private hard waste collection for all the dwellings as Council does not offer a booked hard waste collection to residents with a private waste collection.

Private Waste Collection is proposed. A condition can be included to update the WMP to direct residents to remove hard rubbish to the tip or the body corporate could organise hard rubbish collection on set days.

Urban design - objection

Any allocation of the public open space areas to be managed by Council is not supported.

The proposed dwellings have multiple non-compliances with the minimum standards of Clause 55 and will not provide a suitable level of amenity for the residents of this development. Considering the poor landscape outcomes of the proposal, good shade and canopy coverage will not be achieved. The urban design outcomes are considered a poor design response as a cookie cutter design approach has been adopted throughout the development.

Disagree.

The proposal has been reviewed by DTP internal urban design team.

The landscape plans show extensive street tree planting and tree planting in the tree buffer along Chapel Road and within the reserves located along Chapel Road.

The tree selections provided in the landscape plan allow for a mix of native and exotic trees with mature heights ranging from 4m to 15m in height.

The variations to tree canopy within the site and the provision of a canopy tree to the rear yard of each dwelling will provide a good landscaped outcome.

REFERRAL RESPONSE - MINISTERIAL PLANNING PERMIT APPLICATION

Council Reference No.	PMIN24/0008.02
Ministerial Ref. / Permit No.	PA2503744
Proposal / Application Site Address	182 Chapel Road KEYSBOROUGH VIC 3173 198 Chapel Road KEYSBOROUGH VIC 3173
Description of Proposal	Ministerial Application to Amend Planning Permit PA2503744 to: <ul style="list-style-type: none"> - include adjoining site at 198 Chapel Road; - to increase the number of overall dwellings to a total of 250; - amend conditions of the permit; and - amend endorsed plans and documents under the permit to reflect increase in number of dwellings.
What information was provided?	Application Form Title Title Plan Feasibility Cost Plan Report Planning Report Waste Management Plan Traffic and Transport Report Sustainability Management Plan Detailed Site Investigation Survey Plan Architectural Plans Landscape Masterplan Cultural Heritage Management Plan Track Changes Version of Permit
Is the property within the Dandenong Declared Project Area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council Planning Officer	Andrea Pearson (8571 5326 apears@cgd.vic.gov.au)
Council Statutory Planning Co-ordinator	Richard Stevenson

RECOMMENDATION		SUMMARY
FURTHER INFORMATION REQUIRED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	As per comments below from Statutory Planning, Civil Development, Asset Planning, Sustainability Planning and Waste Services
MAJOR CONCERNS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	As per comments below from Statutory Planning, Transport Planning, Asset Planning, Civil Development, Strategic Planning, Sustainability Planning and Urban Design



PROPOSAL REVIEW – GENERAL PLANNING AND COUNCIL MATTERS	
Zoning / Overlays / Particular Provisions	Clause 32.08 General Residential Zone - Schedule 2 Clause 43.04 Development Plan Overlay - Schedule 5 Clause 45.03 Environmental Audit Overlay Clause 45.06 Development Contributions Plan Overlay - Schedule 1 Clause 52.06 Car parking Clause 53.23 Significant Residential Development with Affordable Housing Clause 55 Two or more dwellings on a lot and residential buildings
Any relevant Council or other policies, guides, codes of practice etc?	Clause 02.03-5 Built environment and heritage – Environmentally sustainable development Clause 02.03-5 Built environment and heritage – Residential development and neighbourhood character Clause 02.03-6 Housing Clause 16.01-1L Residential Development - Housing supply Clause 16.01-1L Residential Development – Future change areas – Greater Dandenong Clause 15.01-2L Environmentally sustainable development Keysborough South Development Plan Stages 2 and 3 Keysborough South Development Contributions Plan
Why is a permit required?	The following clauses of the Greater Dandenong Planning Scheme trigger a requirement for a permit; <ul style="list-style-type: none"> Clause 32.08-7 – A planning permit is required to construct two or more dwellings on a lot
Has a recent copy of title been provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any registered restrictive covenants or other title issues?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER MATTERS	
Is a Cultural Heritage Management Plan required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is a Sustainable Design Assessment (SDA) or Sustainability Management Plan (SMP) required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Would an Environmental Audit be required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is there an EA Overlay or is the proposed use 'sensitive'?	
Is a Development Contribution (DIL) or Open Space Contribution required to be paid?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>Council will not accept the proposed public open space areas, and a cash contribution will be required.</u>
Is the land subject to flooding?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there easements over the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site within the buffer distance of a major gas pipeline? <i>If Yes, is notice required to be given to the pipeline operator?</i>	No

SITE HISTORY AND SUMMARY OF PROPOSAL

Planning Permit PA2503744 was issued by the Planning Minister on 29 September 2025 for the development of the land at 182 Chapel Road Keysborough for the construction of 164 dwellings, comprising of comprising 2, 3 and 4-bedrooms, with an average lot size of 166.4sqm. The plans and associated documents were endorsed on 29 September 2025.

The vehicle access to the site is from a 7.3m wide road connecting to Chapel Road and is shown as a public road which culminates in a court bowl. The remaining internal roads are shown to be private roads. Thirty three on-street car spaces are provided.

Tree reserves are provided along the east, west (part) and north (part) boundaries; and a linear open space area is proposed in the northern portion of the site.

The endorsed masterplan of the development is shown below:



This application proposes to amend Planning Permit PA2503744 as per the following:

- to include adjoining site at 198 Chapel Road;
- to increase the number of overall dwellings to a total of 250;
- amend conditions of the permit; and
- amend endorsed plans and documents under the permit to reflect increase in number of dwellings.

The development would comprise an additional 86 dwellings with 2, 3, 4 and 5-bedrooms with a similar layout and size as those previously approved at 182 Chapel Road. The average lot size would be reduced to 163.32sqm.

Vehicle access to the combined site is still proposed to be from the one access point connecting to Chapel Road shown a 7.3m wide public road. The road runs east-west and culminates in an internal court bowl. The remaining internal roads are shown to be private roads. Sixty on-street car spaces are proposed.

Tree reserves are provided along the east, west (part), north (part) and south (part) boundaries; and a linear open space area is proposed in the northern portion of the combined site.

The proposed masterplan of the development of the combined land is shown below:



STATUTORY PLANNING COMMENTS

OBJECTION

The proposed single non-signalised connection point to Chapel Road providing access for 250 dwellings is not supported and will cause road management and safety issues in the future. The allocation of any road within the development as a public road will not be supported.

The vesting of any of the public open space areas within the development for Council to manage in perpetuity is also not supported.

Therefore, any future planning application for subdivision of the land will not be supported if:

- the current access arrangements are maintained or
- public open space areas are proposed to be vested to Council.

In addition, should Council's Transport Engineering significant concerns not be appropriately addressed, Council may be required to reject any access proposals under the Road Management Act 2004.

These issues are discussed in further detail below.




<p>Road layout, access and car parking</p>	<p>The proposed road layout including one public road connecting to a non-signalised access point to Chapel Road is not supported. The traffic volumes associated with a development of 250 dwellings will require a signalised intersection to connect to Chapel Road.</p> <p>An altered signalised intersection at Homeleigh Road should be provided to more appropriately manage the expected traffic volumes from the development, rather than one non-signalised connection point to Chapel Road.</p> <p>The amended proposal will also result in significant traffic pressure within the surrounding road network and traffic congestion due to only one non-signalised connection to Chapel Road proposed for the whole combined development. Council is not supportive of the proposed design of the public road and associated court bowl and access from Chapel Road as this will cause future road management issues and significant safety issues within the precinct.</p> <p><u>Please note that if Council's Transport Engineers significant concerns are not taken onboard in the assessment of the development proposal and either the proposed access to the development is not amended or conditions are not placed on the permit to address Council's significant concerns, under the Road Management Act, Council may be required to reject any road access works that will affect public roads under safety grounds.</u></p> <p>Should DTP progress the application to a decision for approval Council would strongly advocate for conditions to be placed on any permit to be issued addressing these concerns (see Transport Planning referral section below).</p>
<p>Public Open Space</p>	<p><u>All the proposed reserve areas will need to be privately managed by the Owner's Corporation and cash contributions will be required to be paid to Council instead of the vesting of public open space to Council.</u></p>
<p>Clause 55 Assessment</p>	<p>The proposed amendment has numerous non-compliances with the Townhouse and Low-Rise Code provisions.</p> <p>The minimum Standards of the Townhouse and Low-Rise Code were designed to set basic but important standards for good development. For a development of this size and density, these non-compliances demonstrates that the specified standards for good development in the Code cannot be achieved and the proposal would not provide a suitable level of internal or external amenity for future residents.</p> <p>The proposal is a significant over-development of the combined site.</p>
<p>Future subdivision</p>	<p>As per previous comments, any future planning application to subdivide the land must include only private roads and all public open space areas to be managed by the Owner's Corporation.</p> <p><u>A planning application to subdivide any part of the land which includes the provision of any public roads, proposed access or the vesting of public open space areas to Council for their maintenance in perpetuity will not be supported.</u></p>



INTERNAL COUNCIL REFERRALS	
Asset Planning	<p>Further information required</p> <ul style="list-style-type: none"> ▪ A stormwater management plan is required to be provided to demonstrate how stormwater and overland flow will be managed for the proposed development. ▪ A hydraulic modelling report is required to be provided to assess the 1% Annual Exceedance Probability (AEP) flood levels, incorporating the impacts of climate change. The report must include afflux mapping for Chapel Road (eastern site boundary) and the adjoining southern property.
Civil Development/ Stormwater Management	<p>OBJECTION</p> <p>The proposal fails to provide information regarding stormwater management, drainage and any associated earthworks plan.</p> <p>Additional comments:</p> <p>The development has probability of flooding from Melbourne water's drainage system. Melbourne water's referral is required.</p>
Strategic Planning	<p>OBJECTION</p> <p><u>The public open space areas are to be privately managed and not vested to Council as part of any future subdivision application. Cash contributions will be required to be paid to Council instead.</u></p>
Sustainability	<p>Further information required:</p> <p>The application does not yet satisfy Council's expectations for environmental sustainability as insufficient detail has been provided in the submitted Sustainability Management Plan (SMP), includes a preliminary residential NatHERS rating and Whole of Home assessment to achieve a minimum energy rating of 7-stars for each dwelling.</p> <p>A stormwater management report is also required to demonstrate the proposed water quality performance will satisfy Best Practice Environmental Management Guidelines for Stormwater (CSIRO1999).</p> <p>It is understood that the applicant is working directly with Melbourne Water regarding stormwater management of the proposed development. Once agreed with Melbourne Water, further details of the proposed stormwater management strategy should be included in the updated SMP, including the outputs of an appropriate stormwater modelling tool such as MUSIC. The report must include maintenance requirements of the proposed stormwater quality systems including maintenance requirements and frequency of maintenance.</p>
Transport Planning	<p>OBJECTION</p> <p>Council advises that an altered set of signals at Homeleigh Road is the optimal outcome for the development and the provision of 250 dwellings. The proposed standalone access point will reduce road safety and increase congestion due to the expected traffic volumes of a development of this size.</p> <p>Council's calculations regarding traffic volumes and those identified in the submitted Traffic and Transport Assessment significantly differ. The traffic volumes outlined in the submitted Traffic and Transport Assessment are considerably lower than Council's calculations and it is considered that the Traffic and Transport Assessment prepared by Impact Traffic Engineering do not accurately represent the numbers of vehicles utilising the road network associated with the development.</p>



	<p>The amended proposal will have significant negative traffic and safety impacts within the development and within the surrounding road network.</p> <p><u>Council's Transport Department are willing to discuss the significant concerns regarding access with DTP and the applicant to resolve this matter. However, should DTP not wish to engage with Council's Transport Department on these concerns and are minded to grant an amended permit the following Conditions must be placed on any amended permit to be issued.</u></p> <p>Proposed Conditions:</p> <ol style="list-style-type: none"> 1. Prior to the endorsement of plans amended plans must be submitted to the satisfaction of and approved by the Responsible Authority. The amended plans must: <ol style="list-style-type: none"> a. Incorporate any amendments or recommendations of the amended Traffic Impact Assessment. 2. Prior to the endorsement of plans an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the Responsible Authority. The amended TIA must include: <ol style="list-style-type: none"> a. An Assessment of alternative access arrangements to the site from Chapel Road and selection of an access arrangement providing the highest performing outcome. This assessment must consider pedestrian, vehicular and cyclist movements and road safety when accessing the development and the impacts on the surrounding road network. The amended assessment must include consideration of: <ol style="list-style-type: none"> i. Signalised access at the existing signals on Chapel Road ii. The provision of multiple access points b. An Assessment of traffic impact using a traffic generation rate suitable to dwellings within areas of new residential development / subdivision with low access to public transport. c. A review of all internal road cross sections and access arrangements in line with any amendments to, or recommendations of the Traffic Impact Assessment.
<p>Urban Design</p>	<p>OBJECTION</p> <p><u>Any allocation of the public open space areas to be managed by Council is not supported.</u></p> <p>The proposed dwellings have multiple non-compliances with the minimum standards of Clause 55 and will not provide a suitable level of amenity for the residents of this development. Considering the poor landscape outcomes of the proposal, good shade and canopy coverage will not be achieved. The urban design outcomes are considered a poor design response as a cookie cutter design approach has been adopted throughout the development.</p>
<p>Waste Services</p>	<p>NO OBJECTION (subject to minor revisions)</p> <p>A private waste collection can be approved for this development but there are concerns with the proposed Waste Management Plan regarding hard waste collection. The waste Management Plan should be amended to require the provision of a private hard waste collection for all the dwellings as Council does not offer a booked hard waste collection to residents with a private waste collection.</p>

<p>Statutory Planning Coordinator / Manager confirmation</p>	<p>I confirm that I have reviewed the proposal and the Referral Response Advice document before being provided to the Department of Transport and Planning and agree with this advice.</p> <p>A copy of this advice will be saved to Council's Records Document Management system.</p>	<p>Name: Richard Stevenson</p>  <p>Date: 16/01/2026</p>
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