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## TOWN PLANNING SUBMISSION

14 Lake Ave Pascoe Vale VIC 3044  
(Lot 20 PS 009577)  
Merri-Bek Planning Scheme

May 2025

Please note: This written statement is produced by the permit applicant and may not represent Council's position about whether the Standard is met. Council will complete its own assessment before a decision is made

# 01 | Introduction

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Planning approval is sought to construct two double storey dwellings on a lot at 14 Lake Ave Pascoe Vale VIC 3046

The site is within Neighbourhood Residential Zone – Schedule 1 (NRZ1) pursuant to provision of the Merri-bek Planning Scheme and is covered by the following overlays.

- Development Contribution Plan Overlay – Schedule 1 (DCP01)
- Special Building Overlay – (SBO)

The application seeks approval to use of land for a dwelling pursuant to 32.08 of the General Residential Zone

The report provides an assessment of the proposal against relevant provision of the Merri-bek Planning Scheme and should read in conjunction with relevant plans prepared by ‘Design by Kilik’

## 02 | Site Analysis

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### 02.01 Subject Site

The subject site is located on the middle of Lake Ave, between Northumberland Road and Lake Avenue. The site is within an established residential neighbourhood.



*Figure 1 Cadastral map of the subject site*

The land is formally described as Lot 20 LP9577

The site is rectangular in shape, the frontage to totals 18.90 metres, with an overall site area of 864.1m<sup>2</sup>.

Two single storey dwelling proposed on the lots.

The site is relatively flat

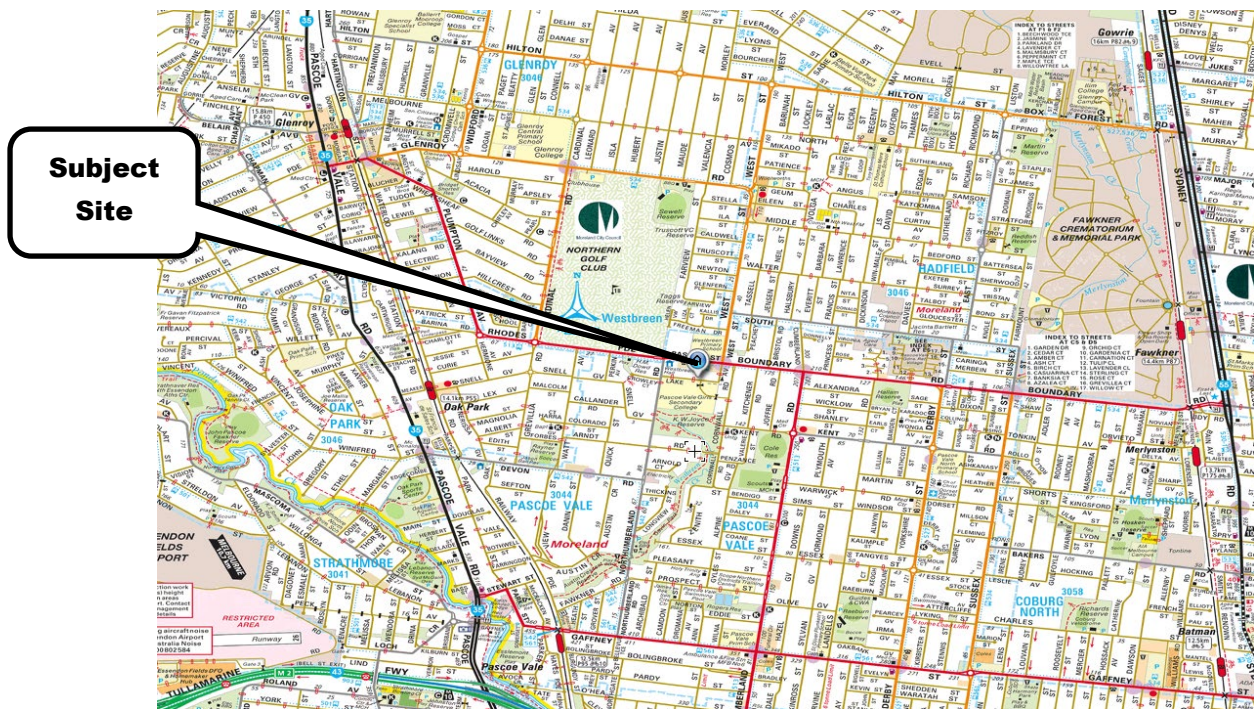


Figure 2: Street directory image of the site

## 02.02 Surrounds

The subject site is located within an established residential area of Pascoe Vale. Lake Ave is a residential street typical of the area and carries a single lane of traffic in each direction.

The site is within close proximity to multiple Activity Centres.

The surrounding area is characterised by predominantly suburban residential units and developments and single dwelling. Street setback is fairly consistent. Dwellings predominantly comprise of hipped gabled with areas of secluded private open space to the rear. Multi units development are seen throughout the surrounding neighbourhood and street scape.

## 03 | Proposal

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Planning approval is sought for the construction of a 2 single storey dwelling (duplex) on a lot.

The design intent is to achieve a high building standard to the neighbourhood.

More specifically noted:

- Proposed two single storey conventional living
- Development consists of four-bedroom dwellings.
- Access to their respected Private Open Spaces via rear yard with convenient access from the living area with northern light
- Each dwelling has individual entries.
- Building materials will includes selection of weatherboard cladding,
- Proposed development has gable roof
- Opportunities for landscaping will be provided throughout the site, a landscape plan will be provided.
- The proposed development will have a maximum height of 5.1 metres and a site coverage of 56.5% and permeable surfaces of 34.1%

# 04 | Relevant Planning Provision

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Policies of the Merri-bek Planning Scheme of relevant to the application are identified below:

## 04.1 State Planning Policy Frameworks

- **VPP 11**                      **Settlements**
  - 11.02                      Managing growth
  - 11.03                      Planning for places
  
- **VPP 15**                      **Built Environment and Heritage**
  - 15.01-1S                  Urban design
  - 15.01-2 Building design
  - 15.01-5S                  Neighbourhood character
  - 15.02-1S                  Energy and resource efficiency
  - 15.03-1S                  Heritage conservation
  
- **VPP 16**                      **Housing**
  - 16.01-1S                  Housing supply
  - 16.01-2S                  Housing affordability
  
- **VPP 18**                      **Transport**
  - 18.01-1S                  Land use and transport planning
  - 18.02-1S                  Sustainable personal transport
  - 18.02-3S                  Road System
  - 18.02-4S                  Car parking

## 04.2 Local Planning Policy Frameworks

- **LPP 22.02**                      **Neighbourhood Character**
- **VPP 23.01**                      **Relation to the Planning Policy Frameworks**
- **VPP 23.02**                      **Operation of the Municipal Strategic Statement**
- **VPP 23.03**                      **Operation of the Local Planning Policies**

## 04.3 Zones

- **LPP 32.08**                      **General Residential Zone - Schedule 1 (GRZ1)**

## 04.3 Overlays

- **VPP 42.06**                      **Development    Contribution    Plan    Overlay    -  
Schedule 1 (DCP01)**

#### **04.4 Particular and General Provisions**

- **Clause 52.06**                      **Car parking**
- **Clause 55**                      **Two or more dwellings on a lot and                      residential  
buildings**

# 05 | Planning Assessment

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## 05.01 Preamble

An assessment of the proposed development requires consideration of the following matters:

- The level of strategic support for the proposed development at both the State and Local Planning Policy Framework levels.
- The appropriateness of the proposed development having regard to the surrounding neighbourhood character and the relevant policies contained in the Scheme.
- Amenity considerations for the future occupiers and surrounding residents.

An assessment against these matters has been provided below.

## 05.02 Strategic Considerations

The relevant policy directions outlined in the scheme encourage the development of well-designed buildings which make effective use of existing infrastructure and provide additional housing opportunities. In particular, Clause 15 and Clause 16 of the Merri-bek Planning Scheme which seeks to facilitate sustainable development that takes full advantage of existing settlement patterns by consolidating established urban areas.

Locations within and around designed activity centres are preferred locations for this development given the access they provide to commercial uses, community facilities and ease of transport for new residents. This is reflected in the following objectives:

### **15.02-1S Urban Design**

*Ensure development contributed to community and cultural life by improving quality of living and working environment, facilitating accessibility and providing inclusiveness.*

*Ensure the interface between private and public realm protects and enhance personal safety.*

### **15.02-1S Building Design**

*Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*

*Ensure development responds and contributes to the strategic and cultural context of its location.*



Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

#### **15.01-5S Neighbourhoods character**

*Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character*

#### **16.01-1S integrated housing**

*Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*

#### **16.01-2S Location of residential development**

*Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*

#### **16.01-3S Housing diversity**

*Encourage the development of well-designed medium-density housing that:*

- *Respects the neighbourhood character.*
- *Improves housing choice.*
- *Makes better use of existing infrastructure.*
- *Improves energy efficiency of housing*

### **05.03 Local Planning Considerations (Merri-bek Neighbourhood Centre Strategy)**

Council's Local Planning Policy Framework also identifies the need to provide for a need to provide for housing choice, diversity and sustainable local living.

The proposed dwellings are well designed and respond well to the various site interfaces, including views to the reserve through the provision of windows providing passive surveillance of the future public open.

Proposed design detail throughout the development are of high quality and attractive design with selection of material are in accordance with council desired

Proposed single storey dwelling are in line with the neighbourhood scale of development with minimal adverse effect to older dwellings.

### **05.05 Neighbourhood Character and Amenity**

Neighbourhood character considerations required to be addressed by the application are detailed most notably at ResCode Standard B1 (Neighbourhood Character).

The proposal presents well designed, contemporary double storey dwellings with semi-shared accessway.

In summary, its location in relation to services and facilities the site presents an opportunity to accommodate well designed townhouses on a lot. The proposed dwellings are well designed and in compliance with the design framework and respond appropriately to the sites' interfaces and as such, the proposal will contribute positively to the character of the area.

## 05.06 ResCode

The proposal to develop the site with more than one dwelling requires an assessment against requirements at Clause 55 of the Merri-bek Planning Scheme. A detailed assessment is provided at Attachment of this submission.

The assessment identifies that the proposed development responds well to all standards and objectives of the planning scheme to provide for appropriate amenity and character outcomes.

With regards to onsite amenity of future residents, the proposed dwelling will have comfortable floor plans with internal areas that have good access to private open space, parking, storage and utilities. The decking areas are accessible direct from common living areas while all habitable rooms within the development benefit from direct solar access, ensuring there is no reliance upon borrowed light.

The dwellings have a clearly identifiable front entrance giving each dwelling a sense of address. The layout of garages and the access way will facilitate efficient entry and egress from the site.

The development minimises offsite amenity impacts with boundary setbacks that address requirements of the relevant standards and developers guidelines. There will not be any overshadowing or overlooking issues as a result of the proposal.

## 05.07 Access, Car Parking and Waste Collection

In accordance with the requirements of Clause 52.06 (Car Parking), the proposed development generates the following statutory car parking requirements:

| Applied Parking Rate                            | Parking Measure | Required parking | Provided Parking |
|---|-----------------|------------------|------------------|
| 1 space to each one or two bedroom dwelling     | 0 dwelling      | 0 spaces         | 0 spaces         |
| 2 spaces to each three or more bedroom dwelling | 2 dwelling      | 4 spaces         | 4 spaces         |
|   |                 | 4 spaces         | 4 spaces         |

As the table above demonstrates, residential car parking for the development is provided in accordance with requirements of the Merri-bek Planning Scheme with covered parking available for each dwelling within a single or double garage. The required visitor car parking is also accommodated onsite.

The proposed development also adequately addresses the design standards related to car parking at Clause 52.06-8 as a result of the following:

- Providing an access way which has a minimum width of 3.0 metres.
- Allowing all vehicles to safely enter and exit the site.
- Providing minimum headroom of 2.4 metres for car parking spaces;
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone
- Providing covered carport with car parking dimensions in accordance with the table at Clause 52.06-8;
- Achieving appropriate gradients for parking spaces and the accessway; and
- Providing passive surveillance and landscaping of car parking spaces and the accessway.

Bins will be transferred by residents to the common driveway of each dwelling for collection by council waste collectors on the specified collection days.

## 05.08 General Provisions

Clause 65 of the Merri-bek Planning Scheme requires that before deciding on an application or approval of a plan, the Responsible Authority must consider a number of matters. An assessment against these provisions is provided as follows:

- The proposal is consistent with the matters set out in Section 60 of the *Planning and Environment Act 1987*.
- The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement.
- The proposal is consistent with the purpose of the Zone and overlays affecting the land.
- Any matter required to be considered in the zone, overlay and other provision
- The proposed development respects the orderly planning of the area.
- The proposed development will not have an adverse impact on the amenity of the area.
- The proposed development will not cause or contribute to land degradation, salinity or reduce water quality.
- The proposed development will be connected to underground drainage and as such will not have any adverse impact on the quality of stormwater within and exiting the site.
- The subject site does not contain any indigenous native vegetation in the meaning of the Planning Scheme.
- The proposed development would not contribute to any flood, erosion or fire hazard.
- The proposed dwellings will not require designated onsite loading areas.

## 06 | Conclusion

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It is submitted that the proposal to construction of two single storey dwelling on the land at 14 Lake Ave is consistent with the State and Local Policy Framework and relevant provisions set out in the Merri-bek Planning Scheme.

The proposed development provides a satisfactory response to neighbourhood character objectives, and the objectives of Clause 55 and will provide a high standard of onsite amenity without unreasonably affecting the amenity of the surrounding dwellings.

We submit that the proposal is worthy of Council support.

# 07 | Attachment

## Clause 55 Assessment: Townhouse and Low-rise Code

| Clause   | Compliance        | Assessment   |
|--|-------------------|--|
| <b>Standard B2-1 Street setback<br/>(Clause 55.02-1)</b>         | ✓ <b>Complies</b> | Dwellings are setback 6m.<br>Eaves encroach into the front setback by 450mm only (max. encroachment of eaves allowed 2.5m)                       |
| <b>Standard B2-2 Building height<br/>(Clause 55.02-2)</b>        | ✓ <b>Complies</b> | Maximum building measured at 5.1m above natural ground line  |
| <b>Standard B2-3 Side and rear setbacks<br/>(Clause 55.02-3)</b> | ✓ <b>Complies</b> | Unit 1 garage on boundary, with side setback at 1.5m min.<br>Diagram B2-31 is shown on the elevation to show compliance<br>Rear setback at 2.4m. |
| <b>Standard B2-4 Walls on boundaries<br/>(Clause 55.02-4)</b>    | ✓ <b>Complies</b> | Unit 1 garage wall on boundary measured at 6.3m  |
| <b>Standard B2-5 Site coverage<br/>(Clause 55.02-5)</b>          | ✓ <b>Complies</b> | The proposal has a site coverage of 58.9%  |
| <b>Standard B2-6 Access<br/>(Clause 55.02-6)</b>                 | ✓ <b>Complies</b> | Unit 1 access width= 3m<br>Unit 2 access width = 3m<br>$3 + 3 / 18.9 = 31.7\%$   |

|  |                   |  |
|--|-------------------|--|
| <b>Standard B2-7 Tree canopy<br/>(Clause 55.02-7)</b>        | <b>✓ Complies</b> | Tree canopy plan was completed to show total canopy area of 89.5m2 @ 10.4%<br><br>Deep soil calculation shown on canopy plan.  |
| <b>Standard B2-8 Front fences<br/>(Clause 55.02-8)</b>       | <b>✓ Complies</b> | A 900mm metal infill fence is proposed   |
| <b>Standard B3-1 Dwelling diversity<br/>(Clause 55.03-1)</b> | <b>✓ Complies</b> | All dwellings contain a kitchen, bathrooms, and bedroom at the ground floor.   |
| <b>Standard B3-2 Parking location<br/>(Clause 55.03-2)</b>   | <b>✓ Complies</b> | All parking is within the street frontage with no habitable windows facing the accessway   |
| <b>Standard B3-3 Street integration<br/>(Clause 55.03-3)</b> | <b>✓ Complies</b> | Each dwellings have passive surveillance via direct view from lounge area.<br><br>Individual services are proposed for the development, with water meter screened with the use of landscaping. |
| <b>Standard B3-4 Entry<br/>(Clause 55.03-4)</b>              | <b>✓ Complies</b> | Each dwellings entry area directly accessible and has a direct line of sight from the street   |
| <b>Standard B3-5 Private open space<br/>(Clause 55.03-5)</b> | <b>✓ Complies</b> | Unit 1: 125.9m2<br>Unit 2: 175.9m2<br><br>Secluded private open space provided at the middle of the lot, to address privacy concerns from the rear apartments.                                 |

|  |                   |   |
|--|-------------------|---|
| <b>Standard B3-6 Solar access to open space</b><br><b>(Clause 55.03-6)</b> | <b>✓ Complies</b> | <p>SPOS setback at 8.9m opposite bed 2 wall</p> <p>Max wall BED 2 height = 4.755</p> <p>Min. setback required <math>(4.755\text{m} \times 0.9) + 2\text{m} = 6.28\text{m}</math></p>                          |
| <b>Standard B3-7 Functional layout</b><br><b>(Clause 55.03-7)</b>          | <b>✓ Complies</b> | <p>All bedroom dimension on the plans with minimum 3.4x3.1m. for standard bedrooms, and 3.6 x 4.2m for main bedroom.</p> <p>Living area is dimension at 7.2. x 5.27, with an area of 38m<sup>2</sup> min.</p> |
| <b>Standard B3-8 Room depth</b><br><b>(Clause 55.03-8)</b>                 | <b>✓ Complies</b> | <p>Windows are proposed throughout the kitchen, meals, and living area.</p>   |
| <b>Standard B3-9 Daylight to new windows</b><br><b>(Clause 55.03-9)</b>    | <b>✓ Complies</b> | <p>All window proposed faced an outdoor area space clear to the sky with a minimum dimension of 1m.</p>   |
| <b>Standard B3-10 Natural ventilation</b><br><b>(Clause 55.03-10)</b>      | <b>✓ Complies</b> | <p>Cross flow ventilation shown max. breeze path of 18m.</p>  |
| <b>Standard B3-11 Storage</b><br><b>(Clause 55.03-11)</b>                  | <b>✓ Complies</b> | <p>Each dwelling is provided with an outdoor storage shed at 6m<sup>3</sup>.</p>  |



|  |                   |  |
|--|-------------------|--|
| <b>Standard B3-12 Accessibility for apartment developments<br/>(Clause 55.03-12)</b> | <b>✓ Complies</b> | Not applicable   |
| <b>Standard B4-1 Daylight to existing windows<br/>(Clause 55.04-1)</b>               | <b>✓ Complies</b> | There is no adjoining habitable window that is affecting be the proposed development.  |
| <b>Standard B4-2 Existing north facing windows<br/>(Clause 55.04-2)</b>              | <b>✓ Complies</b> | There are no north facing habitable window that is affection be the proposed development.  |
| <b>Standard B4-3 Overshadowing secluded open space<br/>(Clause 55.04-3)</b>          | <b>✓ Complies</b> | Shadow diagram show that the proposed development's shadows encroach less than 20% to the adjoining neighbours at 9am, 10am, and 3pm.<br><br>Adjoining neighbours SPOS are more than 40m2<br><br>Proposed overshadowing cast on the SPOS of 3/12 Lake Avenue does not exceed existing shadows cast by existing fences. |
| <b>Standard B4-4 Overlooking<br/>(Clause 55.04-4)</b>                                | <b>✓ Complies</b> | Proposed single storey dwelling with no overlooking  |
| <b>Standard B4-5 Internal views<br/>(Clause 55.04-5)</b>                             | <b>✓ Complies</b> | Proposed single storey dwelling with no internal views   |
| <b>Standard B5-1 Permeability and stormwater management<br/>(Clause 55.05-1)</b>     | <b>✓ Complies</b> | Site permeability is 34.1%.<br><br>WSUD/SDA completed to show 100% rating  |

|  |                   |  |
|--|-------------------|--|
| <b>Standard B5-2 Overshadowing domestic solar energy systems<br/>(Clause 55.05-2)</b>  | <b>✓ Complies</b> | the development does no overshadow any domestic solar energy system  |
| <b>Standard B5-3 Rooftop solar energy generation area<br/>(Clause 55.05-3)</b>         | <b>✓ Complies</b> | Area of 36m2 nominated for each roof plans for solar system for 4 bedroom dwellings, orientated toward the north |
| <b>Standard B5-4 Solar protection to new north-facing windows<br/>(Clause 55.05-4)</b> | <b>✓ Complies</b> | Fixed timber Pergola proposed to meals north facing windows<br><br>450mm proposed to bed 3 window.               |
| <b>Standard B5-5 Waste and recycling<br/>(Clause 55.05-5)</b>                          | <b>✓ Complies</b> | Individual bin proposed to each dwelling away for public view, with a min. area of 4.7m2                         |
| <b>Standard B5-6 Noise impacts<br/>(Clause 55.05-6)</b>                                | <b>✓ Complies</b> | All other mechanical plant are not with adjacent to bedroom.   |
| <b>Standard B5-7 Energy efficiency for apartment developments<br/>(Clause 55.05-7)</b> | <b>✓ Complies</b> | Not applicable   |

**Application Number:** MPS/2025/288  
**Address:** 14 Lake Avenue Pascoe Vale VIC 3044  
**Proposal:** Construction of two single storey dwellings

Please see my response to council's further information request dated **10<sup>th</sup> June 2025**

- Updated Architectural plans
- Updated Design response plan
- Updated town planning report
- Landscape plan

| Preliminary Concerns              | Assessment  |
|-----------------------------------|---|
| <p><b>B2-1 Street Setback</b></p> | <p>The porch with roof height of 3.080m is allowed to be fully within the 6m street setback.</p> <p>The 450mm eave (regardless of height) is also allowed to encroach into the street setback.</p> <div data-bbox="558 1245 1086 1608"> </div> <div data-bbox="571 1644 809 1740"> <p><b>Allowable encroachments</b><br/> Porches, pergolas, and verandahs can encroach up to 2.5 metres into the front setback, provided they are less than 3.6 metres high.<br/> Eaves can also encroach up to 2.5 metres into the front setback.</p> </div> <div data-bbox="825 1650 1083 1955"> </div> <p>From “Townhouse and Low-Rise code Guidelines” page 9.</p> |

|                         |  |
|-------------------------|--|
| <b>B2-6 Access</b>      | The <b>existing</b> crossover is modified to service Unit2. The eastern side of U2 crossover is extended and is within the street tree TPZ (3.1% encroachment) |
| <b>B2-7 Tree Canopy</b> | Trees have been added to the rear setback.<br>Tree species have been modified using the Merri-bek Tree Finder Tool.  |

We have provided all information requested as best as we can. If any other further information is required, please let me know prior to the lapsed date to enable us to provide additional information (only if any required).

If you wish to discuss any issues further, please feel free to contact the office.

A handwritten signature in black ink, appearing to read 'Kilik Le', with a stylized, flowing script.

**Kilik Le**